

REPORT OF CITY PLAN COMMISSION

December 2, 2013 – 6:00 PM  
Lincoln Center – 1519 Water Street

PRESENT: Mayor Andrew Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Daniel Hoppe, Commissioner Garry Curless, and Commissioner David Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, Comptroller Corey Ladick, City Attorney Andrew Beveridge, Police Chief Kevin Ruder, Alderperson Doxtator, Alderperson Joann Suomi, Alderperson Randy Stroik, Alderperson Phillips, Brandi Makuski, Reid Rocheleau, Barb Jacob, Dean Miller, Henry Kroger, Mary Ann Laszewski, Sarah Wallace, Nate Enwald, Chris Jones, Jeffrey May, Romualdas Stanenas, Bob Fisch, Cindy Nebel, Donna Smith, Chris Burch, Rick Froehlich, Rich Sommer, Matt Carlson, Leonard Szymkowiak, David Plaisance, Jack Fischer, Shirley Multhauf, Cathy Dugan, Bob Wierzba, Noah Eschenbauch, Ernest Salibi, and Mildred Neville..

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8. Adjourn.

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1. Report of the November 4, 2013 Plan Commission meeting.

**Motion by Alderperson Moore to approve the report of the November 4, 2013 meeting; seconded by Commissioner Cooper. Motion carried 6-0.**

2. Amending Chapter 23 (Zoning Code) and Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code to adjust parking and loading standards (Sections 23.01(14) and 23.01(15)), along with related definitions (Section 23.04), and ordinances (Sections 21.03(13) and 21.08(1)(b)).

Director Ostrowski stated at the last Plan Commission meeting there were some modifications to the proposed draft, those modifications have been made and a few others and staff had worked with Bob Fisch on adding the bike parking standards. Also, we will be amending 21.03 where there were some conflicting regulations between the Building Premise Maintenance and Occupancy code, with the Zoning Code. Those two amendments are provided in the packet.

Reid Rocheleau, 408 Cedar Street, stated he feels the amendment is unfair due to it being accommodating for the Division Street development and suggests the commission wait to see how the development goes before taking action on this amendment.

Mary Ann Laszewski, 1209 Wisconsin Street, feels the parking changes are just for the proposed apartment plan to pass, finds it alarming that a developer would propose parking for only 40% of its occupants, feels it is a poor suggestion that the residents purchase parking passes from the university where there is a lack of parking, and that it is wrong to change codes for specific developments.

Cindy Nebel, 1100 Phillips Street, is concerned this amendment is tailored specifically to a project, and the change may not be beneficial to the city as a whole. Other concerns were the credit for on street parking, proximity to public transit availability, and structured parking. She also expressed her concern of an alternative parking plan for developments being approved by the plan commission without going before the Common Council.

Daryl Kurtenbach, 5282 Airport Road, pointed out that parking was not an issue in the past for rentals, but as times have changed it has become a big issue. He is offended this change has come about with a large scale operation where local rental owners have had to obey existing codes, and requests the commission wait and see how whole project develops.

Paul Wachowiak, 1620 Meadow View Lane, is against this amendment for a large scale project that is coming in and asked the commission to postpone action.

**Commissioner Daniel Hoppe arrived at 6:14 PM**

Jeff May, 21 Oakcrest, asked the commission to vote no to the parking amendment due to legal issues. He also questioned where this puts the complexes that already exist, and do they have the ability to bring in an engineer with transportation expertise to re-evaluate their complexes. He and feels everyone should be treated fairly.

Barb Jacob, 1616 Depot Street, is in agreement with the other speakers and feels there should be a parking stall for every tenant. She thinks if they are unable to park in the lot where they live they will probably park at the other businesses in the area and will cause an issue for those businesses. She feels there is a need for more information prior to action on this amendment.

Mildred Neville, 1709 Jefferson Street, asked that the commission postpone this action until the public and the commissioners have time to get more information regarding the parking.

Rich Sommer, 4224 Janick Circle, feels the amendment violates the purpose of planning and zoning. With this change there are no standards to compare this too, and asked the commission to postpone action.

Noah Eschenbauch, 2826 Hay Meadow Drive, stated 90% of his tenants have vehicles and with the construction of the science building expansion and the parking structure on campus for the next two years there will be a loss of approximately 600 parking spaces. Please consider the number of parking spaces we are already losing on campus, much less the number that the proposed project will be forcing out.

Bob Wierzba, pointed out there is a safety aspect of students who have to park somewhere other than their residence and having to walk late at night.

Henry Kroger, 3200 Water Street, after giving his recollection of the past student housing history, he asked the commission to table the request because he feels it is unfair to current rental owners.

Director Ostrowski explained currently under the Maintenance and Occupancy Code, it requires for each occupant at least one approved parking space, occupant shall not include any person under 18 years of age. The building inspector may waive this requirement on premises with more than five units if two spaces are

provided per unit and any premises, if each occupant for which there is no parking space stipulates he will have no motor vehicle located on the premises, and the owner authorizes the Building Inspector to immediately remove any vehicle not parked in a permitted parking area.

In looking at other communities, we would not be out of the realm. Specifically:

<b>CITY</b>	<b>MULTI-FAMILY PARKING</b>
Marshfield	1 space / dwelling unit
Wausau	1.5 spaces / dwelling unit
Green Bay	1 space / 1-bedroom unit 2 spaces / 2-bedroom unit or larger
La Crosse	1.5 spaces / dwelling unit 1 additional space / bedroom, 3-bedroom unit or greater (max 4)
Madison	1/dwelling
Milwaukee	1 space / 1-bedroom unit 2 spaces/ 3-bedroom unit or larger
Menomonie	2 spaces / dwelling unit
Whitewater	4 spaces / 3 bedroom unit or larger
River Falls	2 spaces / dwelling unit
Oshkosh	2 spaces / 2-bedroom unit or less + 0.5 (1/2) space per additional bedroom over 2 bedrooms per unit
Superior	1.5 spaces / dwelling unit
Kenosha	2 spaces / dwelling unit
Platteville	0.75 spaces / bedroom for 2 or more bedroom units
Eau Claire	1.5 spaces / dwelling unit

In response to the comment made about modifications being made by the Plan Commission without Common Council approval, and right now that can occur and we have done it before, we could modify that section to have plan commission recommend and common council approve. In terms of other multifamily developments, or other projects that require a conditional use, if you feel they don't have enough parking, you could require them to have more parking beyond what the ordinance requires. When we discuss item 7, you look at that through the conditional use standards and properties that are that close to the university, maybe those students aren't bringing as many vehicles to campus.

Commissioner Haines asked with the comparables, do they all have universities with separate UW-Housing, to which Director Ostrowski stated not all of them, but many of them do. She then stated we have talked about parking on and off for a long time, knowing that it needs to be addressed, and last month we discussed this amendment and appreciates the changes made, and feels this is moving in the right direction.

Commissioner Curless asked what is meant by one per dwelling, to which Director Ostrowski answered, one dwelling unit. He then asked if the university builds a dormitory, how many parking spaces do they have to have; Director Ostrowski stated that would have to come before the Plan Commission. He then clarified there may not be 1 parking stall for every student, to which Mayor Halverson stated that is correct.

Mayor Halverson stated he is not opposed to looking at other exceptions for other kinds of projects, where they make sense, as well as being appropriate for the kinds of sites that people are talking about. With parking, communities have embraced the fact that there needs to be a regulatory number for parking, and for certain uses that makes sense. But, if an owner of any use wants to take on a particular construction project that may or may not produce enough parking and that owner is comfortable with that, their bottom line is

potentially going to be affected through enforcement. Businesses realize they need a certain amount of parking spaces, and that is why a minimal approach to what we are requiring makes a great deal of sense for the kinds of projects we are looking to encourage.

Commissioner Curless asked how this would affect the current dwelling complexes. Director Ostrowski explained if a complex owner wants to amend their conditional use, they can to have reduced parking, if approved. This is not for just one single project, but for every development moving forward.

Commissioner Cooper in talking about student housing, we are trying to be progressive, and if we think the university is going to get bigger, more students, more upper classmen, but when looking at houses around the college area, a student family licensed for 6 would have to have only 2 spaces he feels that would cause a problem. Director Ostrowski stated it would depend on its license and what is listed there. The Commission could require additional parking if they felt it would cause a concern. Commissioner Curless asked if it would cause a problem, or would the student with a car go somewhere else. Mayor Halverson added should it be a requirement of the city or a choice of the resident.

Director Ostrowski pointed out most of the problems we see with parking violations are within the single family homes that have been converted to rentals. Those properties have licenses and are required to have a certain number of spaces to be provided because of being grandfathered in uses.

Commissioner Haines asked for clarification, so in the past, multifamily dwellings can change. Director Ostrowski explained they can amend their conditional use, but the properties we are seeing the most problems with are the single family homes that surround the university. She then asked in the apartment complex by Maria, did we have a parking space requirement, to which Director Ostrowski stated we did require one. She then pointed out with complexes coming before the Plan Commission, we could demand more parking then provided as well, to which Mayor Halverson confirmed because it is through the conditional use process. Commissioner Cooper asked if all multiple family projects come through Plan Commission, to which Director Ostrowski stated yes they do.

Commissioner Hoppe stated he feels the parking will work out, and that tenants will either rent with parking or leave the car at home. Mayor Halverson added that is the reason why we talk about distance to the bus stop and other kinds of progressive elements of the Zoning Code that start to embrace the practicality of what we have done with other ventures to make it easier for students to move around this community and work.

Commissioner Haines stated downtown there is multifamily housing which does not have parking and there has been an agreement for purchasing parking in municipal lots, can we do this with other developments, to which Director Ostrowski answered they have been able to purchase parking in the municipal lots. Mayor Halverson stated that is very practical request and can be reviewed for other examples. Commissioner Haines asked if the parking in municipal lots was negotiated, or did that have to come before Plan Commission and would that be an alternative parking plan. Director Ostrowski explained the alternative parking plan is for example a major retail center that is built and is going to require 1 stall per every 300 square feet, but they don't need that much parking, they can provide an alternative parking plan, but if you are more comfortable sending that to the Plan Commission and Common Council, we can do that. Mayor Halverson stated it is the reality of working within the code to give the flexibility on a project by project basis for common sense applications that are statistically and engineering driven based on what the business knows it needs.

Commissioner Curless asked regarding agenda item 7, the city is not going to regulate which students get the parking stalls, but what about the people who bring cars to school later in the semester. Mayor Halverson answered that would be the responsibility of that particular property, and if it now impedes on other adjacent properties, the it becomes an enforcement issue.

Aldersperson Moore wants the parking plans to go back before the Common Council. He is also concerned with language stating the Administrator has the ability to approve things, but feels that opens the door to bad behavior, and would like to see all references to administrator approval struck. Director Ostrowski asked if he wanted those to be brought before the Plan Commission and Council, we can do that. Mayor Halverson suggested having Plan Commission with Common Council approval for the alternative parking plan. Director Ostrowski explained the reference to the administrator is based on set standards. Mayor Halverson suggested if the offsite parking, which is how we do it currently, we can bring any requests for offsite through the Plan Commission and do it that way, and keep it how it is now, unless you want to change the requirements and make them more specific. Director Ostrowski suggested we can also change all references of administrator approval to Plan Commission and Common Council approvals. Commissioner Patton asked if those changes are made, can this ordinance still go to Common Council, or will it be back before the Plan Commission, to which Mayor Halverson stated it can go to Council. Mayor then clarified anything that is an exception to what is laid out as codified requirements, be it a review only by the Plan Commission or a review previously as laid out as by the Administrator will need Plan Commission recommendation and Common Council approval, as suggested by Aldersperson Moore.

**Motion by Commissioner Haines to approve amending of Chapter 23 (Zoning Code) and Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code to adjust parking and loading standards (Sections 23.01(14) and 23.01 (15)), along with related definitions (Section 23.04), and ordinances (Sections 21.03(13) and 21.08(1)(b)) with requiring the alternative parking plan to be approved by the Common Council, and all references of approval by Administrator changed to Plan Commission and Common Council approval; seconded by Mayor Halverson.**

Commissioner Cooper stated he would prefer if these amendments come back next month instead of taking action tonight.

**Motion carried 5-2, with Commissioner Cooper and Aldersperson Moore voting in the negative.**

3. Amending Chapter 23 (Zoning Code) of the Revised Municipal Code to allow adjustments to be made to conditional use standards relating to landscaping (Section 23.01(16)(c)(14)) by the City Forester.

Director Ostrowski explained the ordinance amendment would allow the City Forester to recommend alternative landscaping standards, specifically under the conditional use standards. It has become apparent that some of the standards do not fit every site, especially infill or redevelopment sites; mainly, requiring one tree per unit on multi-family developments. Requiring this, along with the parking lot screening standards can become counterproductive and may actually lead to decreased landscaping effectiveness. For example, if too many trees are planted on a lot, it may restrict their growth, and those trees may never reach maturity. Allowing the City Forester to recommend alternatives may actually improve landscaping on these types of sites.

Mildred Neville, 1709 Jefferson Street, has concerns as to the way this amendment has come up, why the City Forester was asked questions when the conditional use request application had not been submitted based on the dates of the memo and application. There is too much discretion given to individuals.

Director Ostrowski responded we are not adding discretion to any individual with this item. This is currently a conditional use that comes through the Plan Commission; however the Plan Commission cannot provide any recommendation on modifying a plan. There may be more effective plans that come forward with better spacing requirements, larger trees, as opposed to trees that don't add much to the lot. This would require the

Forester to provide a recommendation to the Plan Commission for their review and ultimately Common Council approval.

Leonard Szymkowiak, 3119 Martha's Lane, stated it is difficult to hear the commission and speakers in the back.

Director Ostrowski explained the conditional use request in agenda item 7 meets all of our current and existing ordinances and this amendment just provides another option for the Plan Commission to consider in the future.

**Motion by Commissioner Patton to approve the amending of Chapter 23(Zoning Code) of the Revised Municipal Code to allow adjustments to be made to conditional use standards relating to landscaping (Section 23.01(16)c(14)) by the City Forester; seconded by Commissioner Haines. Motion carried 7-0.**

4. Portage County Bicycle and Pedestrian Plan update.

Sarah Wallace of Portage County Planning and Zoning presented the current progress on the Portage County Bicycle/Pedestrian Plan, which had developed from the 2006 Portage County Comprehensive Plan. There will also be an open house held Tuesday, December 3, 2013 from 6:30 PM to 8:30 PM in the Lincoln Center Multi-purpose Room for participants to view the draft plan recommendations, offer comments, and speak with staff about the development and implementation. Also, plan updates and status can be viewed at the official blog of the Portage County Bike-Ped Plan.

Mayor Halverson stated the draft so far has an all encompassing approach to bike and pedestrian issues that we have seen, and feels it will be very exciting to see the plan implemented and the recommendations start to plan their way into different ordinances and projects as we start to move and continue to move in that direction.

Reid Rocheleau, 408 Cedar Street, feels there is a need for enforcement and education of bike laws.

5. Request from Wisconsin Public Service to obtain a 12 foot utility easement on City property south of E. M. Copps Drive extended, within the East Park Commerce Center.

**Motion by Alderperson Moore to approve the request from Wisconsin Public Service to obtain a 12 foot utility easement on City property south of E. M. Copps Drive extended, within the East Park Commerce Center; seconded by Commissioner Patton. Motion carried 7-0.**

6. Request from Salah Qutaishat for a conditional use permit to allow four unrelated persons in a single dwelling at **2316 Main Street (Parcel ID 2408-33-2016-08).**

Director Ostrowski explained the applicant is requesting to allow four unrelated individuals to reside in the one unit. Our current ordinance only allows two. It does meet the square footage lot requirement, which would allow him to go multifamily within our zoning code. In looking at the property there is a concern regarding the Comprehensive Plan, which does call this area to remain residential in character, however looking at this specific request the applicant would not need to come before the commission for the conditional use if they convert the residence into a duplex and rent to two individuals in each unit. He feels it would be less detrimental to the structure itself and could be converted back to single family if the owner would be allowed to have four persons residing in a single unit.

Reid Rocheleau, 408 Cedar Street, is against this request because he is concerned for the city encouraging more multifamily rentals and in the next agenda item the development will help turn the converted single family homes back to single family residences.

Mary Ann Laszewski, 1209 Wisconsin Street, is against this request due to it showing disregard for the efforts to manage and reign in rooming houses. She feels the home should be rented as single family due to the lack of single family rentals. She feels this is a loss of an elegant home and is concerned on who will monitor and care for this property as it has an out of town owner.

Leonard Szymkowiak, 3119 Martha's Lane, cited a prior incident of a home being purchased for a family member to reside and have roommates to supplement the payments; it was then noticed regarding improper occupancy so the home had to be sold. He asked why the city would allow an exception now, and feels the home should comply with the ordinance.

Cathy Dugan, 615 Sommers Street, feels this is not a place for a rooming house and believes the realtors are telling potential buyers they can purchase homes for rental properties and ways to get around the city enforcement.

Cindy Nebel, 1100 Phillips Street, admits to being the reporting party of this property complaint with parking and occupancy issues. She feels this is a nice house and has a concern for rental properties changing the dynamics of a neighborhood, the safety of four cars that may back out onto Main Street, and unlicensed rentals not paying the proper taxes on the rental income. She feels the city should stop single family homes from being turned into multifamily rentals.

Dave Plaisance, 3241 Nicolet Court, feels this may open up requests from other landlord's who have the rooms and want to increase tenants, and feels we need to stick with the ordinances.

Mildred Neville, 1709 Jefferson Street, questioned how long the occupancy has been violated, if there were consequences to the violation, and the application process including the dates on the application. She was against this request.

Director Ostrowski explained this property is different from other requests in that the ordinance does allow for it due to the correct zoning and meeting the required lot size. In regards to not meeting standard number 7 of review in our Comprehensive Plan, it calls for this area to remain residential, the problem with the plan is it does not address the number of occupants that are considered a family, but the residential character is still within that district. If this property was zoned R-2, and there was a request to change it to B-4, that would be inconsistent with the Comprehensive Plan. Staff did recommend approval because it is allowed within the Zoning Code for non-conforming lots in this zoning district. If we want to stop doing that, we need to amend our Zoning Ordinance to change the definition of multiple dwelling to mean 3 or more units or more than 2 unrelated people, to just say 3 or more units. If you want this area to stay single family, or two family, or not increase in density, then the properties will have to be rezoned. If we want to start converting these properties back to single family owner occupied residences, there are multiple steps the city will need to take such as amending the Zoning Code to not allow any structures to be reconverted on lots that may be smaller than what the current new lots would be required to have, amending the definition of a family, and rezoning these lots. He is not in favor of having another single family home becoming a student rental, but it meets the standards of review within our ordinance at this time and we have done this before for other properties.

Mayor Halverson pointed out the other important difference is that it is purely a zoning question and what is allowed and what is prohibited or what is allowed via a conditional use. When you have a property that is already zoned multifamily and you meet all of the requirements of the ordinance there is arguably no ground for us to deny this request. The core request in terms of what is being asked of on a property that is already zoned multifamily meets the ordinance, there are no exceptions. The problem with not authorizing the multifamily conditional use is now the owner can easily turn the house into a duplex, and we have no idea what is going on because we can't get into it. If it is licensed and specifically have said how many tenants and you do potentially have an issue, we can go into the property and inspect it based on the license, and if they don't meet it, you take away the license.

**Motion by Commissioner Patton to approve the request from Salah Qutaishat for a conditional use permit to allow four unrelated persons in a single dwelling at 2316 Main Street (Parcel ID 2408-33-2016-08) with the following conditions:**

- **A maximum of four unrelated persons shall reside at the property.**
- **The owner shall secure a multiple-family dwelling license, for 2013 and any future years.**

**Seconded by Mayor Halverson. Motion carried 5-2, with Commissioner Haines and Commissioner Cooper voting in the negative.**

7. Request from CCFS Group, LLC for a conditional use permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at **209 Division Street (Parcel ID 2408-29-4002-03)**.

Jack Fischer, representative of CCFS Group, explained the project we are proposing is made up of a wonderful group of individuals who have significant expertise and background. The overall program is a 40 unit project, which was designed by the architectural firm he is affiliated with. The project is an outstanding design that complements the campus, the community surrounding the users, and demand and need of the community and the developer. When we first approached the community we were told there had been discussion around all of the parking related issues on behalf of the community. We had nothing to do with that conversation, the code that is being suggested is one we feel comfortable with and reasonable with to the parking scenario. The program we have suggested is a 40 unit initiative that incorporates one to five bedroom units. The Division Street location coupled next to the campus is an outstanding location to complement the University of Wisconsin Stevens Point. The architectural practice that he is affiliated with designed the latest UWSP dormitory and has been selected and works on numerous university campuses across Wisconsin. The existing site and this project has the ability to stimulate economic development for the Division Street corridor, complimenting the TIF initiative, that exists in the program and putting together a significant project and a major investment to fulfill some of the new growth of housing that is required in Stevens Point. We are working to meet or exceed the requirements that are in place. We are dealing with an outstanding landscape plan that is very aggressive, which exceed the majority of your present housing stock landscape design requirements. The ratio of traffic, the compliment of the building, the height considerations, the colors, and textures have all been considered by an extremely talented design team to work in a complement effort for the university, community, and surrounding area. We have taken into consideration the typical parking requirements of this kind of unit, and have found that the complement that we put in place will complement the needs of the users. The leasing groups that we work with understand these uses and buildings, and

understand how the leases need to be prepared, the kind of communication that needs to take place, the protocol, and how to control many of the environments that take place in typical buildings like this. This will be one of the largest non medical projects that are brought into this community, into the tax base complementing a need at the highest level. This is the kind of project that will give us the ability to continue to expand the ripple effect in the TIF corridor and through the actual Division Street corridor. The design meets all of the requirements that are relevant to local and state requirements, and we are looking for the opportunity to take a look at putting this in place for the community.

Commissioner Haines pointed out there were lots of comments when talking about the parking standards, and asked Mr. Fischer to talk about how that would be enforced. Mr. Fischer explained the leasing management group would deal with this. That is a typical conversation that takes place between the leasing participants and the potential users. The standards in most of these units are about one stall per unit. They have found the majority of students do not want to spend the time, the effort, the gas, the energy into that environment and very much welcome that kind of relationship. For those that cannot put that together, they typically look and move to a different location. It is literally managed by the leasing group with name, car, license plate, and license. She then asked about the bicycle parking and where do they expect the bikes to park. Mr. Fischer said they have incorporated in the design on the first floor a number of bike related parking stalls, which typically are incorporated into enclosed environments, and there is also a bike repair room as an amenity. With today's expense of bikes being so high we expect the majority will bring them into their apartment units. Commissioner Hoppe asked regarding parking enforcement, if the parking stalls would be numbered or how would that work. Mr. Fischer stated enforcement has been done both ways.

Commissioner Haines asked if there would be an area for visitor parking, to which Mr. Fischer stated no. Commissioner Curless asked if the parking would be based on first come first serve, to which Mr. Fischer stated no, it would be worked through the lease. He then asked if the garage on the first floor will face Division Street, to which Mr. Fischer, stated you are brought into that unit through the parking lot and not the street. This was dealt with as the concern for the egress/ingress flow of traffic and safety hazards. He then asked if the building would look better on Division Street if you flipped it, or is that not possible. Mr. Fischer stated they had looked at that, and through a design team, it was thought that this approach would be best because we would not be bringing the traffic all the way through across the parking lot to the back end and the entering. By coming into the front we have the least amount of parking interaction across the front so that improves safety, and improves the overall flow and is a better decision.

Commissioner Cooper said there had been a style F with one bedroom, but on the floor plan it is not incorporated. Mr. Fischer stated originally they were dealing with a number of different scenarios, and there is no longer a one bedroom unit.

Commissioner Patton asked how many stalls the hotel has now verses how many rooms they have, and how much parking is going to be lost on the site. Mr. Fischer stated he does not have the answer at this time, but with the hotel/motel situation, some nights you have four people, and some nights you have fourteen people.

Reid Rocheleau, 408 Cedar Street, is opposed to the project and compared it to an unsupervised dorm. He has concerns for the five story building being surrounded by single story buildings, the way the application was filled out, and that it is out of style for this neighborhood.

Chief Kevin Ruder, Stevens Point Police Department, pointed out the city sells long term parking permits in municipal lot 8. As far as looking at this development from a perspective of a university parent, he feels this is a great option considering the conditions of some of the rental properties out there. When speaking with business owners surrounding the project, they were in support for this project, but did not want to get involved in the politics of the development. He supports this request.

Noah Eschenbauch, 2826 Hay Meadow Drive, asked why the codes have to change for this development to work, and why the landlords are told they are unable to improve their properties as they want.

Cindy Nebel, 1100 Phillips Street, is in agreement that there is a need for good housing for students, the location is good, but has concerns for the large five bedroom units, parking including visitor space parking, and the large amount of people residing in one area.

Cathy Dugan, 615 Sommers Street, is pleased with the opportunity for student housing, feels this is encouraging for rentals to return to single family homes, and the first floor parking. She did have concerns about the lack of green space, the number of stories and small windows, and how it would change the character of the area.

Jeff May, 21 Oakcrest, stated his concerns were this project was not a long term job producing project, putting a business label on this project and disregard the standards that our city requires to have these residents is unfair to everyone, parking is already an issue, this will adversely affect the liability of maintaining the other properties, and is against this project.

Mary Ann Laszewski, 1209 Wisconsin Street, feels we do not need to subsidize parking or grant a parking change for this request. We need to take ownership and monitor of our current housing stock. She does not see the economic benefit to the north side, the plan presented is just a conceptual layout, and is against this project.

Paul Wachowiak, 1620 Meadow View Lane, asked the commission to deny this request, due to the parking not being sufficient, too dense of population, and not being a service to our students.

Rich Sommer, 4224 Janick Circle, cited several facts regarding census data, Wisconsin public school enrollment, Wisconsin high school graduation history, new construction of apartment unit data, Portage County population, University of Wisconsin Stevens Point population, and the number of jobs in Portage County. He is against this project.

Henry Kroger, 3200 Water Street, feels the students can't wait to get out of the dorms, they need more green area, and they don't deserve to live in this small of area. He requested the commission to deny this project.

Barb Jacob, 1616 Depot Street, has concerns this development is too big for the area, feels the community and commission need to know the plan from the beginning to end including the financing, and that the commission is not getting the whole picture.

Mildred Neville, 1709 Jefferson Street, stated her concerns regarding the development and timeline of CCFS Group LLC, the guidelines to the application process, the large amount of people in a small space, and a lack of time for the public to look into the information presented. She feels this does not support a good quality of life for the students, that this project is set up to fail, and is against this project.

Director Ostrowski responded regarding the application stating that the applications are created by staff and are created to allow us the time needed to properly review and notice the items. In terms of the height requirement, the only reason the Plan Commission reviews this is because of the use being a conditional use. If it was permitted within that district, they would be allowed to go up to 125 feet, which is nearly double of the proposed plan. In 2008, the setback requirements were recommended by Plan Commission and confirmed by Common Council to change in TID 5 to encourage density, height, and closeness to the street, which is what this project does. Regarding the survey done within the staff report and vacancy rates, it is census data and those are their numbers. With other vacancy rates, the university suites are 100% full and the total occupancy rate at the residence halls are at 102%.

Mayor Halverson explained there is no question that the university's pressure, specifically on campus housing is going up and they are looking to construct new residential facilities for on campus housing. When looking only at graduation rates and assuming student population from a DPI perspective, you are missing the point that enrollment standards and the management plan that the university is looking at will now swell the university's population here above 10,000. The other thing that needs to be discussed is the university's interest in this property. They have expressed multiple times that they are interested in continuing to acquire just about any parcel they can get. Students are living all over the place, including Plover and they are living in multifamily zoned districts that do not require a conditional use review and ours does, which means it can be more stringent and we can look at more variables. We have statistics that are valid in that the single largest property management company, Candlewood, having a vacancy rate last year of 2% and this year 1.03%, with management of over 800 units. The reference that the market is going to take care of construction costs, it will on very inexpensive land. The financial part is up to the Common Council, but from a planning point of view this is the kind of project we want to encourage.

Director Ostrowski explained this provides the students an option for living, if they choose not to, that is up to them. This project promotes density, which is what was wanted in this area. As far as the size, there are a number of multi-story buildings next to single story homes. The only reason we have a chance to review is because it is a conditional use.

Mayor Halverson also explained the CCFS Group, LLC concerns; we were given that name as the LLC that would be provided, that was the name of the LLC that was disclosed on the agenda properly and correctly for the Finance Committee. When we were pushed by the media, which we acknowledge immediately that it was not specific enough, we released the names of the principals and the partners that have remained unchanged for the LLC that was finally created once that ownership group was solidified. That was an error on our part; we did not release it with a broad enough brush. We are not trying to hide anything, but we do need to preserve negotiations.

**Motion by Commissioner Patton to approve the request from CCFS Group, LLC for a conditional use permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at 209 Division Street (Parcel ID 2408-29-4002-03) with the following conditions:**

- **All applicable building permits shall be obtained.**
- **A recreational impact fee (currently calculated at \$100.00 per unit) must be paid prior to the issuance of a building permit.**
- **The applicant must secure an annual multiple-family dwelling license.**

- Fire connections shall be installed within each stairwell.
- A stormwater plan shall be submitted and reviewed by the Utilities Department and Public Works Department.
- A photometric plan shall be submitted by the developer to be reviewed and approved by the Community Development Department.
- Snow shall be removed from the site or stored in a location that does not impact drainage facilities, cause vision obstructions, or reduce parking spaces.
- The other two elevations (south and east) shall be of similar design materials, and color to those of the north and west.
- Minor changes to the plans, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.
- Changes to interior layouts, number of units, and number of bedrooms, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.

**seconded by Mayor Halverson.**

Commissioner Cooper asked about the rectangular strip of land to the north of the university parking lot, and if it is that owned by the university, to which Director Ostrowski stated yes. He then stated it would be great to see this company work with the university to get pedestrian access, which was agreed to by Mayor Halverson. Mr. Cooper continued stating that he does not think this is a bad project in itself, but cannot vote to approve it tonight is because it is not a final plan, and even if it was, he does not like the staff recommendation of “Changes to interior layouts, number of units, and number of bedrooms, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.” He thinks any changes especially in number of units and beds has got to come back to Plan Commission. Director Ostrowski said a lot of times we won’t have interior layouts in multifamily, what he is looking at doing is providing the best mix that they can do within the internal structure, whether that is making more three bedrooms, or more five bedrooms. If you want to put a cap on the number of students in that facility, please do so, you can do that and interior layouts change frequently as they go through the architectural process. Commissioner Cooper stated he understands that, but that also affects parking and feels the parking is grossly underestimated.

Commissioner Hoppe asked if this could be tabled until January as he would feel more comfortable that way as well, to which Mayor Halverson stated it could be. Commissioner Patton added it is just a recommendation to the Common Council for December 16<sup>th</sup>, to which Mayor Halverson stated the Council would still be taking it up, the public hearing has been properly noticed. Commissioner Hoppe stated he liked the project, and the Council will have to deal with some of the other issues regarding financing, and he likes the overall thought and idea behind it; there is a demand and will be for a unique group of students.

**Motion carried 5-2, with Commissioner Cooper and Alderperson Moore voting in the negative.**

8. Adjourn.

**Meeting Adjourned 9:44 PM.**