

REPORT OF CITY PLAN COMMISSION

August 4, 2014 – 5:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Andrew Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Garry Curless, and Commissioner Dave Cooper.

(Excused: Commissioner Anna Haines and Commissioner Daniel Hoppe)

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Andrew Beveridge, Director Joel Lemke, Alderperson O'Meara, Alderperson Wiza, Alderperson Mary Stroik, Alderperson Trzebiatowski, Alderperson Phillips, Cindy Nebel, Armin Nebel, Lois Alfsen, George Alfsen, Brandi Makuski, Roxanne Johnson, Chris Brindley, Bill Rowe, George Acker, Jeff Marin, Mary Dulske, Greg Diemer, Barb Jacob, Joe Pogorzelski, Garrett Ryan, Justin Busa, and Tom Witt.

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1. Report of the July 7, 2014 Plan Commission meeting.
2. Request from Mary A. Dulske, representing Big Todd's Rumble Inn, for a conditional use permit to temporarily extend the premise at **1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01)**.
3. Request from Daniel Ongna, representing Ongies Rental Properties LLC, for a constrained site exemption to reconstruct the parking lot at **428 Division Street (Parcel ID 2408-29-4010-29)**.
4. Request from the University of Wisconsin-Stevens Point to amend the City of Stevens Point Comprehensive Plan Future Land Use Map (Map 8.3) for the purposes of amending the future land use designation from residential to "UWSP" for all of the following properties:
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)**
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)**
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)**
 - 1724 Portage Street (Parcel ID 2408-32-1001-15)**
 - 1730 Portage Street (Parcel ID 2408-32-1001-16)**
 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)**
5. Request from the University of Wisconsin-Stevens Point to rezone six properties below from R-3 Single and Two Family Residence District to U-1 University Facilities District.
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6. Request from the University of Wisconsin-Stevens Point for a site plan review to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (**Parcel IDs 2408-32-1001-12 through 2408-32-1001-17**).

7. Request from the Redevelopment Authority of the City of Stevens Point for a constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (**Parcel ID 2408-32-2029-65**).
 8. Amending **Section 23.01(14) and Section 23.01(15)** of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances.
 9. Amending **Section 23.02(4)(d)** of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers.
 10. Request from Paradise Solutions, representing Consolidated Water Power Company, for a conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to **707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141**.
 11. **Director's Update (informational purposes only)**
 12. Adjourn.
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1. Report of the July 7, 2014 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the July 7, 2014 meeting; seconded by Commissioner Cooper.

Motion carried 5-0.

2. Request from Mary A. Dulske, representing Big Todd's Rumble Inn, for a conditional use permit to temporarily extend the premise at **1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01)**.

Director Ostrowski explained this request is for an event scheduled for August 23, 2014 from 9:00 am to 11:00 pm. Furthermore, the premise extension will be fenced off in a 30' x 35' area. This item is before the commission due to this tavern use operating without a conditional use permit, as it was grandfathered. Staff recommends approval of this request with the conditions outlined in the staff report.

Motion by Commissioner Patton to approve the conditional use permit to temporarily extend the premise at 1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01) with the following conditions:

- **All alcohol must be consumed within the legally defined premise area. The event and all activities associated shall cease no later than 11:00 pm.**
- **Refuse receptacles used for the temporary event and other garbage or trash shall be removed no later than 48 hours after the event.**
- **The extension area shall be fenced.**
- **All events shall be monitored by Big Todd's Rumble Inn staff, along with parking.**
- **Staff shall have the ability to approve minor amendments, as well as similar events in the future that require a premise extension.**

seconded by Commissioner Curless. Motion carried 5-0.

3. Request from Daniel Ongna, representing Ongies Rental Properties LLC, for a constrained site exemption to reconstruct the parking lot at **428 Division Street (Parcel ID 2408-29-4010-29)**.

Director Ostrowski stated the owner is requesting to reconstruct a portion of the parking lot at 428 Division Street. The lot is currently joined with neighboring lots to the east and west, as the property is part of a retail strip complex. In addition, the asphalt exists up to the building, with no separation. The request is to replace the existing lot, with no setback from the north, south, and east property lines, as well as no setback from the building. Staff has little concern with the request, but recommends landscaping be installed on the western edge of the property off of Vincent Court, and that the three foot landscaping buffer along the north side of the building can be accomplished.

Motion by Alderperson Moore to approve the constrained site exemption to reconstruct the parking lot at 428 Division Street (Parcel ID 2408-29-4010-29) with the following conditions:

- **A five foot landscaped area meeting code requirements to the west, along Vincent Street, shall be installed. Staff shall have the ability to modify the planting requirements to prevent conflicts with the utilities in this location.**
- **A 3-foot building setback shall exist along the north side of the building consisting of a landscaped area, concrete walk, or other permitted material. The 3-foot setback may be waived for the west side of the building, as the area will be used for placement of the refuse containers, and/or drive aisles.**
- **Curbing, wheel stops, or an adequate alternative (as approved by the zoning administrator) must be installed for parking spaces that abut a landscaped area.**
- **Parking stalls shall be striped.**
- **The landscaping must have a water source within 100 feet, or be irrigated.**
- **Staff shall have the right to make minor modifications to the plan.**

seconded by Commissioner Patton. Motion carried 5-0.

4. Request from the University of Wisconsin-Stevens Point to amend the City of Stevens Point Comprehensive Plan Future Land Use Map (Map 8.3) for the purposes of amending the future land use designation from residential to "UWSP" for all of the following properties:
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)
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 - 1724 Portage Street (Parcel ID 2408-32-1001-15)
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 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)

Director Ostrowski explained this item along with items 5 and 6 go together. Currently, all of the properties have a future land use designation as Residential. Four of the six properties are residential in use and have existing residential homes. The University of Wisconsin Stevens Point is looking to expand into this area for a parking lot in the interim until they can acquire the entire block. The university identified this area to develop as a parking lot or academic building within their master plan which was adopted by the Plan Commission and Common Council. Furthermore, Director Ostrowski said the request does meet the standards of review and would recommend changing the future land use map from residential to university.

Mayor Halverson asked if any on the commission was opposed to combining the discussion for agenda items 4, 5, and 6. None of the commission opposed.

Carl Rasmussen, University Director of Facilities Planning, explained the campus only acquires properties if the owners are willing to sell. During the master planning process, the campus is required to define their

boundaries, which indicate to the community where the campus intends to expand over time. When last updated and adopted by City Council in 2007, the master plan included acquiring the properties in question and established a university use on them. The proposed use for the site is a parking lot, which is strategically located to support the night time activities of the Fine Arts as well as the daytime activities of commuting students. The lot is intended to provide 75 spaces and would be hourly metered using a kiosk. The parking created will assist in replacing the parking stalls lost from Lot X when the Chemistry and Biology building is constructed. Mr. Rasmussen continued his presentation by explaining the stormwater drainage system, the lighting plan, the parking pay station, and the landscaping plan used for screening. Furthermore, he asked that the city give consideration to allow an exemption to the parking island requirement at the west end of the lot, due to the manifold and bio-swale system that is proposed to be used for drainage of stormwater as well as parking lot maintenance for snow removal.

Commissioner Curless asked if the houses at the location are currently rented, to which Mr. Rasmussen stated they are currently vacant and will remain vacant through the coming academic year.

Commissioner Cooper asked what affect the lighting would have on the properties across the street, and would the lot be used for overnight parking. Mr. Rasmussen explained the LED lighting which utilizes cut-off fixtures and does not obtrude onto adjacent properties. Additionally, he explained the area will be metered until 7:00 pm, and open for free parking until 2:00am.

Aldersperson Moore asked once approved, what is the project timeline for construction and completion. Mr. Rasmussen stated construction would begin in late spring to be ready for fall of 2015.

Commissioner Curless asked if the houses south of the lot were student rentals, to which Director Ostrowski stated they vary, but are residential in nature.

Cindy Nebel, 1100 Phillips Street, expressed her concerns regarding being notified for the public hearing and plan commission meeting, and stated the Old Main Neighborhood Association (OMNA) was not being included in any reporting. Furthermore, she stated the process is going to quickly, and the property should be used to create a buffer between residential uses and the university.

Lois Alfsen, 1817 Portage Street, stated his concern is for the increased traffic and speeds in the area and requests a traffic study to be completed prior to any development.

Jeff Marin, 2101 Main Street, pointed out that the lots currently in the area are shared for Fine Arts Center events as well as University Center events, which in turn stresses the neighborhood parking.

Armin Nebel, 1100 Phillips Street, expressed his concerns for security and monitoring of the lot after 7:00 pm, asked for a traffic study to be completed, and questioned future developments for the site.

Chris Brindley, University Buildings and Grounds Superintendent, pointed out the extensive landscaping to the lot and the good buffer and screening on Division Street. Mr. Brindley added his concern for the required island on the west side of the lot, citing the negative effects for maintenance when clearing snow.

Mayor Halverson stated the city needs to be sensitive to the neighborhoods but also the growth of the university. We have committed to working with the university in finding locations to help relocate parking, and maximizing the parking that currently exists. He does not see any direct conflicts with adjacent properties and supports the construction of the parking lot.

Director Ostrowski clarified that as the site is not considered constrained, all parking and landscaping requirements must be met, including the terminal island required on the west side of the lot. However, the applicant can submit an alternative parking plan created by a registered engineer in the State of Wisconsin illustrating that the standards do not apply to the specific development.

Motion by Mayor Halverson to approve the amendment to the Comprehensive Plan Future Land Use Map (Map 8.3) for the purposes of amending the future land use designation from residential to “UWSP” for the following properties:

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
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seconded by Commissioner Curless. Motion carried 5-0

5. Request from the University of Wisconsin-Stevens Point to rezone six properties below from R-3 Single and Two Family Residence District to U-1 University Facilities District.

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
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Motion by Mayor Halverson to approve of the rezoning from R-3 Single and Two Family Residence District to U-1 University Facilities District for the following properties:

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
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seconded by Commissioner Curless. Motion carried 5-0

6. Request from the University of Wisconsin-Stevens Point for a site plan review to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (Parcel IDs 2408-32-1001-12 through 2408-32-1001-17).

Motion by Mayor Halverson to approve the site plan review request to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (Parcel IDs 2408-32-1001-12 through 2408-32-1001-17): with the following conditions:

- Signage shall be posted identifying proper vehicle direction and circulation on site.

- Interior parking stalls shall provide dimensional stall requirements for length and width per City ordinance.
- A terminal island shall be installed on the west end of the lot, per city ordinance requirements, unless an alternative plan is submitted and approved by staff.
- Stormwater and drainage shall be reviewed and approved by appropriate City staff and all requirements shall be met as per Chapter 31 of the Revised Municipal Code.
- Staff shall have the ability to approve minor modifications to the site plan.

seconded by Commissioner Curless. Motion carried 5-0.

7. Request from the Redevelopment Authority of the City of Stevens Point for a constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (**Parcel ID 2408-32-2029-65**).

Director Ostrowski explained this request is before the commission due to project's two phase timeframe falling within the recent parking standard ordinance amendment. The western half was reconstructed in 2013, and the eastern half will be reconstructed this year. He continued stating most of the curbing will remain, but due to an existing agreement with Shopko that stipulates 437 stalls must be provided, many of the parking standards cannot be met. Parking lot setbacks are proposed to be reduced, and terminal islands and other landscaping standards cannot be met. Therefore, staff recommends that construction be allowed to commence, but that a landscape plan be brought back and approved by the end of this year and implemented in 2015.

Motion by Commissioner Patton to approve the constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (Parcel ID 2408-32-2029-65); seconded by Commissioner Cooper. Motion carried 5-0.

8. Amending **Section 23.01(14) and Section 23.01(15)** of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances.

Director Ostrowski explained this amendment was discussed last month, as we have had a number of parking lot modification requests come before the commission that could more efficiently be approved by staff. For this reason, and due to the shorter construction period, staff is requesting the authority to approve parking and loading standard modifications as long as the exemption is meeting the clear standards provided, and the exemption is using the least aggressive modification.

Commissioner Patton asked if the requests would still need council approval, to which Director Ostrowski stated no, staff can approve them if they meet the conditions listed in the ordinance.

Mayor Halverson stated he is in support of the amendment which makes us more responsive to businesses.

Motion by Commissioner Cooper to approve the amendment of Section 23.01(14) and Section 23.01(15) of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances; seconded by Commissioner Patton. Motion carried 5-0.

9. Amending **Section 23.02(4)(d)** of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers.

Director Ostrowski explained currently our setbacks for communication towers are equal to the height of the tower. With the next agenda item there is no physical way the lot allows for setbacks requirements to be met. Therefore, staff is recommending an ordinance change to allow for setbacks to be reduced in certain instances. Furthermore, recent changes in state statutes are limiting regulations for municipalities regarding communication towers. The change in state law is going to provide us with limited flexibility in terms of regulating towers. Additional ordinance changes will likely occur in the near future.

Motion by Mayor Halverson to approve the amendment of Section 23.02(4)(d) of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers; seconded by Alderperson Moore. Motion carried 5-0

10. Request from Paradise Solutions, representing Consolidated Water Power Company, for a conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to **707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141.**

Commissioner Patton asked when the tower was placed at Ben Franklin Jr. High how would that have been different with the new regulations. Director Ostrowski explained our ability to regulate is increasingly limited.

Commissioner Curless asked if a person was interested in putting up a windmill would municipal regulation be allowed, to which Director Ostrowski stated depending on location and size. For example, if it would not be able to be located in a back yard, a front yard may be permitted via state statutes.

Alderperson Moore asked if Consolidated would need DNR approval, to which Director Ostrowski stated that will be handled through the building permit process.

Motion by Alderperson Moore to approve the conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to 707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141 with the following conditions:

- Any other pertinent requirements from the Federal Aviation Administration (FAA) shall be met.
- Any and all mechanical equipment located on the ground shall be completely concealed within a structure or box.
- A separate gated security fence shall surround the tower base and any mechanical equipment.

seconded by Commissioner Cooper. Motion carried 5-0.

11. **Director's Update (informational purposes only)**

Director Ostrowski stated the first of two public input sessions have occurred regarding the rezoning of the south side. There were six to seven people in attendance and the comments were favorable. After the second meeting, minutes will be presented to the Plan Commission.

There is a Comprehensive Plan meeting scheduled for August 13, 2014 at 6:00 PM in the Portage County Annex for the Plan Commission, Council members, and all interested parties.

Also, in previous meetings the municipal land between Illinois and Michigan Avenue was discussed regarding the potential for surveying and eventual donation to adjacent land owners. It has been estimated that survey work will take approximately 80 hours which may not be worth the cost to the city. Director Ostrowski then recommended allowing individual property owners to privately survey portions if they were interested in obtaining.

12. Adjourn.

Meeting Adjourned at 5:56 pm.