

REPORT OF CITY PLAN COMMISSION
October 6, 2014 – 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 Dave Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Andrew Beveridge, Comptroller Treasurer Corey Ladick, Alderperson Mary Stroik, Alderperson Mike Phillips, Nate Enwald, Brandi Makuski, Barbara Suchon, Richard Suchon, Matt Erler, Brian Quimby, Barb Jacob, Jim Laabs, and Al Tessmann.

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1. Report of the September 2, 2014 Plan Commission meeting.
2. Request from Richard and Barbara Suchon for the purpose of annexing their property located at **4943 State Highway 66 (County Parcel ID 020-24-0822-04.14)** from the Town of Hull to the City of Stevens Point.
3. Establishing a permanent zoning classification of "R-2" Single Family Residence District or "R-3" Single and Two Family Residence District for **4943 State Highway 66 (County Parcel ID 020-24-0822-04.14) (Suchon annexation request)**.
4. Amending **Section 23.02(2)(c)** of the Revised Municipal Code of the City of Stevens Point to eliminate the minimum lot area and density requirements for residential developments that do not have any residential units located on the first floor.
5. Request from Al Tessmann, representing the property owner, for a conditional use permit to increase the occupancy from 14 to 24 at **1205 Second Street (Parcel ID 2408-32-2015-06) and 1209 Second Street (Parcel ID 2408-32-2015-07)**.
6. Request from Logan Erickson, representing Sentry Insurance, for a conditional use permit for an off-premise sign for PJ's – Sentry World Restaurant (601 North Michigan Avenue) to be located **at the northwest corner of the intersection of Division Street and Northpoint Drive (Parcel ID 2408-20-4300-03)**.
7. Request from Brian and Kristen Quimby for a conditional use permit for the purposes of constructing a covered porch using the "R-TND" Traditional Neighborhood Development Overlay District minimum setback requirements at **2025 Boyington Avenue (Parcel ID 2408-32-1032-02)**.
8. Request from the City of Stevens Point to acquire the property at **172 West Clark Street (Parcel ID 2408-31-1014-02)** from Rose Acceptance Inc. for use as parkland.
9. Creating a recreational/accessory vehicle storage ordinance.
10. Director's update (informational purposes only).
11. Adjourn.

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1. Report of the September 2, 2014 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the September 2, 2014 meeting; seconded by Commissioner Cooper. Motion carried 7-0.

2. Request from Richard and Barbara Suchon for the purpose of annexing their property located at **4943 State Highway 66 (County Parcel ID 020-24-0822-04.14)** from the Town of Hull to the City of Stevens Point.

Director Ostrowski explained this request for annexation is a direct contiguous annexation by unanimous approval. This property is approximately 1.2 acres with city utilities already in front of the property, and it is identified in our Comprehensive Plan as a future growth area. Staff would recommend approval.

Motion by Mayor Halverson to approve the annexation of the property located at 4943 State Highway 66 (County Parcel ID 020-24-0822-04.14) from the Town of Hull to the City of Stevens Point; seconded by Alderperson Moore. Motion carried 7-0.

3. Establishing a permanent zoning classification of "R-2" Single Family Residence District or "R-3" Single and Two Family Residence District for **4943 State Highway 66 (County Parcel ID 020-24-0822-04.14) (Suchon annexation request).**

Director Ostrowski explained staff is recommending R-3 Single and Two Family Residence District as a permanent zoning classification for 4943 State Highway 66 because of the similar of adjacent properties and the frontage on Highway 66.

Commissioner Haines asked for clarification as to the difference between the R-2 Single Family and the R-3 Single and Two Family zoning districts regarding lot size and density. Director Ostrowski explained the districts are similar in standards with two family units being allowed in the R-3 zoning district.

Commissioner Curless asked if the properties in the city on Walton Road are duplexes, to which Mayor Halverson stated yes.

Motion by Commissioner Patton to approve the permanent zoning classification of "R-3" Single and Two Family Residence District for 4943 State Highway 66 (County Parcel ID 020-24-0822-04.14); seconded by Commissioner Hoppe. Motion carried 7-0.

4. Amending **Section 23.02(2)(c)** of the Revised Municipal Code of the City of Stevens Point to eliminate the minimum lot area and density requirements for residential developments that do not have any residential units located on the first floor.

Director Ostrowski explained that this item can be pulled from the meeting and there is no need for the amendment since the Plan Commission can set the density through the conditional use process.

Mayor Halverson stated no action will be taken on this agenda item.

5. Request from Al Tessmann, representing the property owner, for a conditional use permit to increase the occupancy from 14 to 24 at **1205 Second Street (Parcel ID 2408-32-2015-06) and 1209 Second Street (Parcel ID 2408-32-2015-07).**

Director Ostrowski explained the building is actually two parcels where the south side of the building is currently licensed for seven units on the second story. Furthermore, a single unlicensed residential unit on the first floor exists. Five new units are proposed on the second floor of the north side of the building.

Commissioner Hoppe asked for clarification if they are trying to make the first floor residential. Director Ostrowski explained currently the south side of the building has an individual living in a single unit on the first floor, which did not receive prior approval. The north side of the building has a vacant first floor and can still be used for commercial. Five loft apartments on the north side of the building are proposed with two occupants in each unit.

Commissioner Haines pointed out the staff recommendation recommends the first floor unit to be eliminated. Director Ostrowski explained that recommendation was made when there were uncertainties regarding lot density and size. He continued stating it is very difficult to meet the density requirements in downtown, which the Plan Commission can waive through the conditional use process because the lots are so small. Commissioner Haines expressed her concerns for allowing a first floor residential unit in the downtown area.

Mayor Halverson pointed out that one of the visions for downtown was to allow shop owners to live within their commercial buildings. He does not feel this will be advantageous for other commercial buildings because of the fact there is more money per square foot for commercial space verses renting to residential on the first floor.

Associate Planner Kyle Kearns stated if the first floor apartment is approved the total units within the building would be 13 with 25 occupants.

Motion by Mayor Halverson to approve the request for a conditional use permit to increase the occupancy from 14 to 25 at 1205 Second Street (Parcel ID 2408-32-2015-06) and 1209 Second Street (Parcel ID 2408-32-2015-07) with the following conditions:

- **The applicant must secure a multi-family license prior to occupying the units.**
- **The maximum number of units would be 13 with 25 occupants.**
- **All plans shall adequately show square footages of bedrooms and living areas.**
- **If refuse storage is increased, the applicant shall screen the containers.**
- **All building codes shall be met prior to issuance of occupancy license.**
- **Exterior improvements must be reviewed and approved by the Historic Preservation / Design Review Commission (windows, trim, etc).**

seconded by Commissioner Cooper.

Jim Laabs, 1026 Second Street N, explained he is the property owner and asked for clarification of the motion. Director Ostrowski stated the motion includes the approval of the first floor unit with one occupant and the five loft apartments with ten occupants. Mr. Laabs pointed out most of the apartments on the south side have one occupant in each, with the exception of one unit, which has two occupants.

Barb Jacob, 1616 Depot Street, suggested that the first floor apartment be allowed to have two occupants as to not have issues in the future if there is a couple wanting to rent.

Commissioner Curless stated he really would like to see the first floor remain commercial/retail.

Motion carried 5-2, with Curless and Haines voting in the negative.

6. Request from Logan Erickson, representing Sentry Insurance, for a conditional use permit for an off-premise sign for PJ's – Sentry World Restaurant (601 North Michigan Avenue) to be located **at the northwest corner of the intersection of Division Street and Northpoint Drive (Parcel ID 2408-20-4300-03).**

Director Ostrowski explained Sentry owns three corners of this intersection, and two existing free standing signs currently exist on the northwest corner. Sentry Insurance is proposing to add a 16 square foot identification sign for the new PJ's Restaurant. Given that Sentry owns the property and has a very large campus, staff recommends approval.

Motion by Mayor Halverson to approve the conditional use permit for an off-premise sign for PJ's – Sentry World Restaurant (601 Michigan Avenue) to be located at the northwest corner of the intersection of

Division Street and Northpoint Drive (Parcel ID 2408-20-4300-03); seconded by Alderperson Moore. Motion carried 7-0.

7. Request from Brian and Kristen Quimby for a conditional use permit for the purposes of constructing a covered porch using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements at **2025 Boyington Avenue (Parcel ID 2408-32-1032-02)**.

Director Ostrowski explained the property is located within the TND overlay district which allows for a reduced setback down to 12 feet. They are looking at adding a 13 foot by 6 foot covered porch with a setback of 19 feet. Given the area and neighbors with reduced setbacks, staff would recommend approval.

Motion by Mayor Halverson to approve the request for a conditional use permit for the purposes of constructing a covered porch using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements at 2025 Boyington Avenue (Parcel ID 2408-32-1032-02) with the following conditions:

- All necessary building permits shall be obtained for the proposed work.
- The materials of the new covered porch shall be compatible to the greatest extent possible with the materials on the home.
- All other applicable ordinance requirements shall be met.
- Staff shall have the right to make minor modifications to the plans.

seconded by Commissioner Curless. Motion carried 7-0.

8. Request from the City of Stevens Point to acquire the property at **172 West Clark Street (Parcel ID 2408-31-1014-02)** from Rose Acceptance Inc. for use as parkland.

Motion by Commissioner Patton to acquire the property at 172 West Clark Street (Parcel ID 2408-31-1014-02) from Rose Acceptance Inc. for use as parkland, seconded by Commissioner Copper. Motion carried 7-0.

9. Creating a recreational/accessory vehicle storage ordinance.

Director Ostrowski stated he has updated this draft ordinance based on the comments from prior meetings. Furthermore, this draft includes no parking in the front yard setback unless it is in an approved driveway.

Commissioner Patton asked if current registration is required for recreational vehicles in the ordinance. Director Ostrowski answered that registration is required if vehicles are motorized. Commissioner Cooper then asked if staff would have the responsibility of checking vehicle ownership and registration, to which Director Ostrowski responded stated currently the ordinance does not require them to be owned by the property owner. Commissioner Patton added that he feels this is the best solution presented thus far.

Mayor Halverson stated he felt this was a good step in the right direction for refining the ordinance.

Commissioner Hoppe asked if the accessory vehicles could be parked in the property’s driveway, to which Mayor Halverson stated as long as it does not encroach in the right of way. He continued questioning if you are at a more suburban property, could you go up to the right of way and sidewalk. Director Ostrowski clarified you can be right up to your property line.

Commissioner Cooper feels this ordinance is well written, but does not feel we need to go this far for a few problem properties. Alderperson Moore agreed.

Barb Jacob, 1616 Depot Street, agreed with Commissioner Cooper, stating that the recreational vehicles are not an issue. Furthermore, she identified scenarios of families that camp in the yard with their kids as well as relatives visiting who may stay in RV's temporarily.

Aldersperson Phillips stated his neighborhood has an issue with this and is wondering how it can be managed to improve the area. He is ok if the ordinance is still worked on in the future, but feels that we need to start somewhere with this issue.

Al Tessmann, 195 Black Forest Drive, suggested a nuisance ordinance similar to the Village of Plover.

Commissioner Cooper stated he likes the language in Whitetail Subdivision's Covenants and feels it is appropriate for avoiding yard junk.

Commissioner Hoppe cited an example outside of the city where it was unknown if an RV on a property was being used as a full time residence or if a family was vacationing there.

Commissioner Patton feels this ordinance would be enforceable similar to the sidewalk complaints, where if there is an issue it is reported and addressed by staff. It would likely stop repeat offenders.

Commissioner Curless asked if persons staying in the RV could be called-in similar to parking on the street overnight, to which Mayor Halverson stated that is not ideal with the law enforcement communications department. Mayor Halverson also questioned how constrained corner lots will be handled.

Commissioner Haines asked if the language regarding sleeping in the RV could be removed. Director Ostrowski pointed out if the commission is concerned about persons living in campers, there can be a clause added to the draft, stating persons cannot occupy RV's for more than seven days in a 30 day period.

Mayor Halverson stated the ordinance should only regulate parking in the front yard setback.

Commissioner Haines asked if the ordinance can be brought back even more simplified, and questioned whether this ordinance is still necessary throughout the city.

Aldersperson Moore pointed out his residence has only an approximate 20 foot back yard, and no room exists to maneuver a recreational vehicle to the rear yard. Aldersperson Moore confirmed is stance against the adoption of ordinance.

10. Director's update (informational purposes only).

Director Ostrowski stated on Wednesday October 8, 2014 there will be a Comprehensive Plan meeting at the County Annex building for Aldermanic District 1 at 6:30pm. Neighborhood meetings pertaining to the comprehensive plan will occur for each of the aldermanic districts over the next few months. The public and elected officials are welcome to attend every meeting regardless of the district noted, as it is beneficial to have as many people as possible for input. The meetings will start with a short presentation followed by a townhouse style meeting to gain public input and feedback.

11. Adjourn.

Meeting Adjourned at 6:40 pm.