

REPORT OF CITY PLAN COMMISSION
December 1, 2014 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Gary Wescott, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Daniel Hoppe, and Commissioner Dave Cooper.

Excused: Commissioner Garry Curless

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Beveridge, Alderperson Doxtator, Alderperson M. Stroik, Alderperson Trzebiatowski, Alderperson R. Stroik, Carl Debolt, Shirley Debolt, Brandi Makuski, Dan Drexler, Cathy Dugan, Gene Kemmeter, Richard Bierman, Barb Jacob, Spencer Houk, Leonard Szymkowiak, Frize Marquard, Pat Loebach, Ron Beyer, and Larry Lee.

INDEX:

1. Report of the November 3, 2014 Plan Commission meeting.
2. Request from Richard Bierman, representing the property owner, for an amendment to the site plan at **5441 Highway 10 East (Parcel ID 2408-35-1300-05)**.
3. Request from Carl Debolt, for a sign variance to construct a freestanding cabinet and message center sign within the five foot setback and exceeding the size requirements at **1232 Park Street (Parcel ID 2408-32-4026-14)**.
4. Request from Heartland Custom Homes Inc., representing the property owner, for a conditional use permit to construct two 6-unit apartment buildings at **3301-09 Bush Street (Parcel ID 2308-04-1001-15)**.
5. Request from the City of Stevens Point to rezone four unaddressed commercial properties within the vicinity of Church Street, Strongs Avenue, Park Street and Depot Street from B-4 Commercial District to B-3 Central Business District (**Parcel ID's: 2408-32-4020-03, 2408-32-4034-03, 2408-32-4040-12, and 2408-32-4900-01**).
6. Director's update.
7. Adjourn.

Mayor Wescott explained that a chairperson of the Plan Commission needs to be elected, or Alderperson Moore by default will need to chair the meeting.

Motion by Alderperson Moore to nominate Mayor Wescott as Chairperson of the Plan Commission for the duration of the mayoral term, seconded by Commissioner Patton. Motion carried 4-0.

1. Report of the November 3, 2014 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the November 3, 2014 meeting; seconded by Commissioner Haines. Motion carried 5-0.

2. Request from Richard Bierman, representing the property owner, for an amendment to the site plan at **5441 Highway 10 East (Parcel ID 2408-35-1300-05)**.

Director Ostrowski described the request to change the dumpster corral on site from a brick enclosure to a chain link enclosure with privacy slats. Staff recommends denying the modification to the refuse enclosure, as aesthetics are lost, along with strength and durability.

Alderson Moore asked if the chain link and slats would meet our code, to which Director Ostrowski answered there is no specific code requiring the brick dumpster enclosures. The B-5 zoning district requires a site plan review for any development, of which a brick enclosure was previously approved. Commissioner Haines clarified the commission approved the brick originally, to which Director Ostrowski confirmed.

Commissioner Patton stated he does not have any issue with the privacy slats and chain link fencing, but would like to hear from the applicant regarding the reason for the change.

Richard Bierman, 2108 Johnsonville Road, explained the reasoning was first to conserve costs, and also the owner may eventually change refuse practice to a more recycling approach for the disposal of parts. If a change occurs, the enclosure would be made smaller and the fencing is much easier to modify than brick.

Alderson Trzebiatowski stated his only objection would be that disposal of scrap metal and auto parts can cause damage to the fence and vinyl slats, making the appearance less than desirable.

Motion by Commissioner Haines to deny the amendment to the site plan at 5441 Highway 10 East (Parcel ID 2408-35-1300-05) for a chain link fence with privacy slats dumpster enclosure. Motion failed, no second.

Motion by Commissioner Patton to approve the amendment to the site plan at 5441 Highway 10 East (Parcel ID 2408-35-1300-05) for a chain link fence with privacy slats dumpster enclosure, seconded by Commissioner Cooper. Motion carried 3-2 with Mayor Wescott and Commissioner Haines voting in the negative.

3. Request from Carl Debolt, for a sign variance to construct a freestanding cabinet and message center sign within the five foot setback and exceeding the size requirements at **1232 Park Street (Parcel ID 2408-32-4026-14)**.

Director Ostrowski explained this request occurs in the south side business district and includes two parts. The first request is to modify the street setback from five feet to overhang a portion of the sidewalk. The Director of Public Works does not have any concern with the overhang. The second request is to allow an exception for a larger sign in the recently rezoned area. The recent south side rezoning from B-4 to B-3 affected the size of signs. The previous B-4 district would allow for a 100 square foot freestanding sign, whereas, the B-3 district only allows a 32 square foot freestanding sign. Given the complexity of the site and the makeup of the district, staff recommends that 32 square feet be the maximum size for the top portion of the sign. The applicant is also looking to add two lines, totaling 16 square feet for a changeable copy letter board, which staff would recommend approving as well.

Commissioner Hoppe arrived at 6:11PM.

Commissioner Patton asked if the height would be a safe clearance for bikers, to which Director Ostrowski stated yes there is a minimum ten foot clearance required. Commissioner Moore questioned if this is a true variance, to which Director Ostrowski answered no, a variance would go before the Board of Zoning Appeals. The request before you is a sign variance exception that can be approved by the Plan Commission, outlined in our Sign Code.

Carl Debolt, 2312 Linden Street, explained his business would sell soft serve ice cream and assorted popcorns. His original request was submitted prior to the south side rezoning and at that time the sign would be allowed, but due to delays in the project, he is before the commission because regulations have changed. Mr. Debolt stated ideally a three-sided pie shaped sign that would face both optimal directions would be preferred, which also are larger than the requirement for the current zoning. He proceeded to show examples of other signs in the immediate area which he felt supported his request and lastly indicated a sign meeting the requirement would not maximize marketability and exposure.

Commissioner Patton asked what his construction timeline was, to which Mr. Debolt answered as soon as frost is out of the ground the foundation will be installed.

Dan Drexler, Stratford Signs, explained the design of the sign was planned prior to the rezoning, so they re-designed the sign to meet the current zoning. It has been referred to as a pie shaped sign, and from experience that would be the most effective sign for that business based on the awkward intersection at that location. With the way the sign is designed and the two components of the sign, he does not feel it is something that would look out of place. He added that the size of the sign is important for the applicant whom is opening a new business and has a multitude of things to advertise.

Aldersperson Randy Stroik pointed out this is a unique property and feels the exception should be allowed. The customer base is the impulse buyer and a larger sign will help. Aldersperson Stroik then pointed out neighboring signs such as Belts and the Credit Union are much larger. Director Ostrowski stated Belts is a little larger than 32 square feet and the Credit Union sign is approximately 100 square feet but was constructed as a multi-tenant sign.

Aldersperson Trzebiatowski agreed with Aldersperson Stroik and feels it is a uniquely angled street and would benefit the business.

Director Ostrowski clarified that staff's recommendation is to approve a larger sign including the 32 square foot top and 16 square foot reader board, totaling 48 square feet. Staff is concerned that with the visibility at the intersection, a larger sign could cause a distraction and visibility issues. If the area is treated like the downtown regarding the zoning change, it should be equivalent to the downtown district signage. The applicant has requested an 84 square foot sign.

Commissioner Haines asked for an explanation of the pie shaped sign, to which Director Ostrowski stated this is the first he has heard of the pie shaped sign. Mr. Debolt said he has pursued a different type of sign from what was originally submitted.

Motion by Mayor Wescott to postpone the request for a sign variance to construct a freestanding cabinet and message center sign within the five foot setback and exceeding the size requirements at 1232 Park Street (Parcel ID 2408-32-4026-14) to allow submittal and staff review of the latest sign rendering proposal and information; seconded by Aldersperson Moore. Motion carried 6-0.

4. Request from Heartland Custom Homes Inc., representing the property owner, for a conditional use permit to construct two 6-unit apartment buildings at **3301-09 Bush Street (Parcel ID 2308-04-1001-15)**.

Director Ostrowski stated the original construction of this complex was in the early 1990's prior to the conditional use permit requirement for multi-family dwellings. Furthermore, at that time a variance was granted for reduced lot size and setbacks. Currently there are two apartment buildings and two garage

buildings on the property, along with two poured slabs. The applicant is requesting to construct two buildings on the existing slabs, having six units each and a total of 20 bedrooms. The applicant has provided a preliminary landscape plan and a limited elevation plan. Given the area and surrounding uses of multi-family, staff would recommend approval of this project with the conditions provided. Mayor Wescott asked if the applicant was aware of the conditions placed on the property, to which Director Ostrowski stated yes. He continued stating the existing slabs would need to be tested to be sure they are still structurally sound, and receive state approvals, prior to the issuance of a building permit.

Aldersperson Moore asked for clarification regarding the number of bedrooms, to which Director Ostrowski stated 20. Commissioner Patton asked about the park fee, to which it was explained as a standard fee for multiple family units.

Aldersperson Trzebiatowski stated constituents had concerns about the exterior appearance of the buildings, maintenance of mature trees, integrity of the existing slabs, viability current water and sewer plumbing, and if new design would meet the ADA handicap rules. He is supportive of the project but does have concerns for building on the existing concrete slabs.

Mayor Wescott is in support of the project and pointed out to Aldersperson Trzebiatowski those concerns were addressed in the staff report and conditions which he can point out to the constituents. Director Ostrowski added that all the piping will be cut out and replaced as per the plan if the slabs are found to be buildable and the structures will have to follow current codes and regulations.

Motion by Commissioner Cooper to approve the conditional use permit to construct two 6-unit apartment buildings at 3301-09 Bush Street (Parcel ID 2308-04-1001-15) with the following conditions:

1. **Additional design elements shall be incorporated into the plan, such as shutters, window lintels, and masonry. A rendering shall be submitted to be reviewed by community development staff.**
2. **A minimum of 25% of the façade shall be covered with masonry or decorative brick. EIFS may be considered to satisfy this requirement.**
3. **Siding and any other exterior design elements or materials shall match the existing apartments.**
4. **The applicant shall submit a landscaping plan meeting all pertinent requirements for review and approval by community development department staff.**
5. **All mature trees shall remain on-site unless they impede the construction of the apartments.**
6. **An updated site plan shall be submitted identifying the refuse enclosure and construction materials, to be reviewed and approved by community development department staff. The refuse enclosure shall be screened per the ordinance requirements.**
7. **The maximum number of units for the proposed apartment complexes shall be 12, 6 in each building with a maximum number of 20 bedrooms.**
8. **Snow shall be removed from the site, or stored in a location that will not negatively impact adjacent properties.**
9. **A stormwater plan shall be submitted for review by the Department of Public Works.**
10. **Staff shall have the authority to approve minor changes such as landscaping or drainage.**
11. **The applicant shall pay the required park fee per unit to the City.**
12. **Applicable building permits, occupancy licenses and any other pertinent permits or licenses shall be obtained.**

seconded by Commissioner Patton. Motion carried 6-0.

5. Request from the City of Stevens Point to rezone four unaddressed commercial properties within the vicinity of Church Street, Strongs Avenue, Park Street and Depot Street from B-4 Commercial District to B-3 Central Business District (**Parcel ID's: 2408-32-4020-03, 2408-32-4034-03, 2408-32-4040-12, and 2408-32-4900-01**).

Director Ostrowski stated when rezoning the south side, these four properties were thought to be right-of-way areas, but they do have parcel numbers associated with them and would have to be included in the rezoning. Alderperson Moore asked if the railroad was notified and if they have had any response, to which Director Ostrowski answered yes they have been notified, however the Community Development office has not received any response.

Motion by Alderperson Moore to approve the rezoning of four unaddressed commercial properties within the vicinity of Church Street, Strongs Avenue, Park Street, and Depot Street from B-4 Commercial District to B-3 Central Business District (Parcel ID's: 2408-32-4020-03, 2408-32-4034-03, 2408-32-4040-12, and 2408-32-4900-01), seconded by Commissioner Patton. Motion carried 6-0.

6. Director's Update

Director Ostrowski reminded the commission there will be a District 7 Comprehensive Plan meeting at Bannach School on Thursday December 4th at 6:30 PM. He also indicated that he was planning to ask the Common Council to allow the public hearings to be held at the Plan Commission meetings, so that the Commission is fully informed prior to making decisions. This will also allow adjacent property owners more advanced notice of the requests. Mayor Wescott was supportive. Director Ostrowski will be bringing a draft before the commission in the future for action.

7. Adjourn.

Meeting Adjourned at 6:42 PM.