

REPORT OF CITY PLAN COMMISSION  
June 1, 2015 – 6:00 PM  
Lincoln Center – 1519 Water Street

PRESENT: Alderperson Kneebone, Commissioner Bob Brush, Commissioner Anna Haines, and Commissioner Dave Cooper.

Excused: Mayor Wiza, Commissioner Hoppe, and Commissioner Curless.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, Comptroller/Treasure Corey Ladick, Public Works Director Schatschneider, Parks Director Schrader, Alderperson Heidi Oberstadt, Alderperson Shawn Morrow, Alderperson Mike Phillips, Alderperson Denise Mrozek, Alderperson Doxtator, Alderperson Patton, Alderperson Slowinski, Alderperson Garrett Ryan, Alderperson Bryan Van Stippen, Alderperson Mary McComb, Nate Enwald, Brandi Makuski, Sheldon Ferkey, Judy Ferkey, Dennis Rosenbrook, Bruce Cambell, Florence Campbell, Sari Lesk, Paul Peterson, Bob Woehr, and Tom Macak.

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  23. Adjourn.
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1. Roll Call.

**Present: Kneebone, Brush, Haines, Cooper**

Discussion and possible action on the following:

2. Report of the May 4, 2015 Plan Commission meeting.

**Motion by Commissioner Haines to approve the report of the May 4, 2015 Plan Commissioner meeting; seconded by Commissioner Brush. Motion carried 4-0.**

3. **Public Hearing** - Conditional use permit renewal for Amber Grill to operate a tavern at 1001 Amber Avenue (Parcel ID 2408-36-2200-47).

Director Ostrowski explained that all of the following businesses operate currently as a conditional use and have met all the conditions placed on them. In the past, staff has included a two year expiration for permits which brings these renewals before the commission. Staff would recommend renewal of all of the conditional use permits with the added condition to allow staff to approve the renewals if there are no major issues with the businesses.

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

4. Action on the above.

**Motion by Commissioner Brush to approve the conditional use permit renewal for Amber Grill to operate a tavern at 1001 Amber Avenue (Parcel ID 2408-36-2200-47) with the following conditions:**

- **No food service, drinking, or music be allowed on the exterior seating area after 11:00pm.**
- **The conditional use permit shall expire Jun 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two years as long as all conditions are met.**

**seconded by Commissioner Haines. Motion carried 4-0**

5. **Public Hearing** - Conditional use permit renewal for Arbuckle's to operate a tavern at 1320 Strongs Avenue (Parcel ID 2408-32-2026-45).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

6. Action on the above.

**Motion by Commissioner Haines to approve the conditional use permit renewal for Arbuckle's to operate a tavern at 1320 Strongs Avenue (Parcel ID 2408-32-2026-45) with the following conditions:**

- The site plan is developed as shown on the attached plan and be approved by the Historic Preservation/Design Review Commission.
- Concrete pavers are used for the patio.
- Metal fencing encloses the area with the spacing of the fence to be of a size to prevent passing of cups.
- Seating area is separated from the sidewalk by at least 5 feet.
- The area along the sidewalk be landscaped.
- No stones larger than ½ inch in diameter be used as mulch within 2 feet of the fence/sidewalk.
- No drinking or music be allowed on the deck after 10:00pm.
- This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.

**seconded by Alderperson Kneebone. Motion carried 4-0.**

7. **Public Hearing** - Conditional use permit renewal for Pete's Sports Bar to operate a tavern at 200 Division Street (Parcel ID 2408-29-4003-09).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

8. Action on the above.

**Motion by Alderperson Kneebone to approve the conditional use permit renewal for Pete's Sports Bar to operate a tavern at 200 Division Street (Parcel ID 2408-29-4003-09) with the following conditions:**

- No food service, drinking, or music be allowed on the exterior seating area after 11:00pm.
- This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.

**seconded by Commissioner Haines. Motion carried 4-0.**

9. **Public Hearing** - Conditional use permit renewal for Papa Joe's Bar to operate a tavern at 233 Division Street (Parcel ID 2408-29-4002-04).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

10. Action on the above.

**Motion by Commissioner Haines to approve the conditional use permit renewal for Papa Joe's Bar to operate a tavern at 233 Division Street (Parcel ID 2408-29-4002-04) with the following conditions:**

- Refuse containers shall be relocated behind the building or an enclosure shall be constructed to keep them hidden from view from Division Street and the surrounding properties.
- No food service, drinking, or music is allowed on the exterior seating area after 11:00pm.
- Public Protection Committee shall review the plans.
- A landscaping buffer, which does not impede visibility, is encouraged around the exterior seating area and the parking lot and sidewalk.
- Seating area is separated from the sidewalk by at least 5 feet.
- Due to safety concerns, no parking shall be allowed in front of the bar, or immediately adjacent to the exterior seating area. A physical barrier is encouraged around the exterior seating area for the protection of patrons.
- The patio should not create any visibility obstructions.
- The number of parking spaces should not be reduced below the amount required for the property.
- This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.

**seconded by Commissioner Brush. Motion carried 4-0.**

11. **Public Hearing** - Conditional use permit renewal for Middletown Grill to operate a tavern at 2301 Church Street (Parcel ID 2408-32-4035-20).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

12. Action on the above.

**Motion by Commissioner Haines to approve the conditional use permit renewal for Middletown Grill (Rhody's) to operate a tavern at 2301 Church Street (Parcel ID 2408-32-4035-20) with the following conditions:**

- The expanded serving area to be a patio on grade with the entrance to be from the interior of the bar.
- A 6' railing be installed around the patio.
- No food service, drinking, or music be allowed on the patio after 10:00pm.
- This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.

**seconded by Alderperson Kneebone. Motion carried 4-0**

13. **Public Hearing** - Conditional use permit renewal for Tech Lounge to operate an electronic amusement business at 1028-36 Main Street (Parcel ID 2408-32-2029-22).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

14. Act on the above.

**Motion by Commissioner Haines to approve the conditional use permit renewal for Tech Lounge to operate an electronic amusement business at 1028-36 Main Street (Parcel ID 2408-32-2029-22) with the following conditions:**

- **Loitering and other nuisance activities be controlled inside and in front of or near the entrance to 1036 Main Street.**
- **This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.**

**seconded by Commissioner Brush. Motion carried 4-0.**

15. **Public Hearing** - Conditional use permit renewal for Express Recycling LLC to operate a recycling center at 2608 Water Street (Parcel ID 2308-05-1012-22).

Commissioner Cooper declared the public hearing open.

No one wished to speak.

Commissioner Cooper declared the public hearing closed.

16. Action on the above.

**Motion by Commissioner Brush to approve the conditional use permit renewal for Express Recycling LLC to operate a recycling center at 2608 Water Street (Parcel ID 2308-05-1012-22) with the following conditions:**

- **Screening of all storage on the exterior of the building.**
- **The roll-off container for scrap metal not be visible from Water Street.**
- **Existing screening for exterior storage and refuse containers shall remain.**
- **Hours of operation would be from 10:00am to 4:00pm Monday – Friday and 9:00am to 1:00pm on Saturdays.**
- **This conditional use permit shall expire June 30, 2017, upon which staff shall have the authority to extend the permit for consecutive two year periods as long as all conditions are met.**

**seconded by Alderperson Kneebone. Motion carried 4-0.**

17. **Public Hearing** - Request from Sheldon Ferkey for a conditional use permit for the purposes of operating associated car wash activities at 3324 Church Street (Parcel ID 2308-04-3012-03).

Director Ostrowski explained the request is for a conditional use to extend the carwash operation to an adjacent property. The applicant is requesting to extend drive lanes and create vacuum service and adjacent parking spots which are accessory uses to the carwash. Currently the property is zoned B-4 and has frontage on Church Street with Water Street. Director Ostrowski continued to review the proposed site plan, and identified that several ordinance requirements were not met, including perimeter landscaping for the parking lot, aisle dimensions, traffic flow, and driveways. Concerns discussed match

those identified in the staff report. Staff would recommend not taking any action on this request until a new site plan is proposed meeting the ordinance requirements.

Commissioner Brush pointed out that the vacation of driveways should consequently change the angle of the stalls on the south side of the island. Director Ostrowski answered that the stalls could still exit with the vacation of the driveways as suggested. He then asked if the entrances were vacated, why the space would exist between the building and the property line. Director Ostrowski explained there is a plan for an expansion in the future, and a difference in grade exists between both lots as well.

Aldersperson Kneebone asked if there was grading, would that cause standing water and or drainage onto another site, to which Director Ostrowski answered it would be required to go directly into the storm sewer off-site, or be kept on the property.

Commissioner Cooper declared the public hearing open.

Sheldon Ferkey, 3340 Church Street, handed out a revised site plan to the commission. He explained that recently they purchased and completely renovated the carwash at 3340 Church Street and purchased the adjacent property at 3324 Church Street to expand their business. He pointed out that if he is required to install the screening on the north side of the lot, there would be an issue with the neighboring LeBlanc building when receiving deliveries at their loading dock. Furthermore, Mr. Ferkey stated, when Water Street was widened the right-of-way was moved closer to the driveway, and if the access to the carwash bays is moved over it will not give an ample turning radius for vehicles into the carwash. Mr. Ferkey then explained his updated site plan, provided to the commission, addresses the concerns listed in the staff report. Greenspace presented is larger than the requirement. He continued by adding, in the near future an expansion is planned to the carwash on the north side, for which the staff recommendation for driveway vacation along Church Street would be detrimental.

18. Action on the above.

Commissioner Brush stated he still does not see why screening cannot be installed on the north edge of the property. Commissioner Haines agreed.

Sheldon Ferkey, 3340 Church Street, explained that the distance from the LaBlanc building is approximately 12 feet, which makes it difficult for use of the building's overhead doors for deliveries if landscaping is installed, creating a hardship. Commissioner Brush explained that the position of the commission is to represent the best interested of the public as a whole, and he does not see that to be a reason not to follow the ordinance. Mr. Ferkey said he is very interested in working with the property owner next door to ensure business operations can continue and bring traffic to the area.

Commissioner Haines asked for clarification regarding any large trucks coming in and out of the LaBlanc building for deliveries. Mr. Ferkey explained he would be working with the neighboring owners to have the deliveries scheduled so no negative impacts would occur for cars stacking in the carwash lanes. Commissioner Haines then asked the applicant to clarify his opposition to vacate driveways. Mr. Ferkey explained the east driveway vacation along Church Street should be allowed to remain because of the future expansion proposed.

Aldersperson Kneebone asked if the expansion is going to be a carwash bay. Mr. Ferkey explained it will be a finishing bay for detailing. Aldersperson Kneebone then asked if cars are exiting out of the carwash, who would be exiting out onto Church Street. Mr. Ferkey answered that the express carwash would exit directly out on to Church Street, and the detailing cars would turn left in the expansion area to enter the finishing bays.

Commissioner Brush asked if all the existing driveways are being used, to which Mr. Ferkey stated yes because of the expansion scheduled. He then asked about the extra driveway on Water Street, to which Director Ostrowski stated staff is recommending curb installed to make the driveway exit only. Mr. Ferkey added that the curb already exists.

Commissioner Haines asked if the northwest driveway was a shared access for both of his lots. Commissioner Brush added the triangle area at the northwest corner could be used for landscape screening, to which Mr. Ferkey explained the property line goes right to the edge of the driveway, so there is no area for screening there.

Director Ostrowski explained that the screening is needed to shield the lot from the road, but also to the adjacent properties. If adjacent properties would be sold in the future and/or redeveloped, the use may warrant screening, however the opportunity for having the screening is lost if it is not a requirement now. A way to get around the neighboring truck delivery issue is to construct a 22 wide cross access point as indicated in the zoning ordinance. This would allow for traffic to flow between each site without having to go out onto an arterial street.

Commissioner Cooper stated he is not ready to vote on this as it is presented tonight and feels a more concrete plan is needed to proceed.

**Motion by Commissioner Haines to table the request from Sheldon Ferkey for a conditional use permit for the purposes of operating associated carwash activities at 3324 Church Street (Parcel ID 2308-04-3012-03) until an updated site and landscape plan, meeting the ordinance requirements, specifically landscaping and driveway vacations, be submitted; seconded by Commissioner Brush. Motion carried 4-0.**

19. **Public Hearing** - Request from Paul Peterson, representing Stevens Point Properties, LLC to rezone the property located at 405 Prentice Street (Parcel ID 2408-29-4010-36) from "R-3" Single and Two Family Residence District to "R-5" Multiple Family II Residence District.

Director Ostrowski explained the request is to rezone the property at 405 Prentice Street from R-3 to R-5. Furthermore, this is the last remaining house in this area of the block. The request is to rezone the property to the same zoning as the adjacent Klasinski Clinic property, to expand the clinic parking lot. Our comprehensive plan indicates that this area should be commercial, and this request is consistent with that element. Director Ostrowski finished by noting that this request is just to rezone the property, as expansion of the clinic parking lot is a permitted use in the R-5 zoning district. Staff recommends approval.

Aldersperson Kneebone asked if the larger trees would be saved and would there be screening for the parking lot. Director Ostrowski answered stating yes the lot would have to provide additional screening, but the City cannot make them keep the trees.

Commissioner Brush clarified the request to be solely the rezoning, to which Director Ostrowski confirmed.

Commissioner Haines pointed out that now the Klasinski clinic would be completely surrounded by a parking lot.

Commissioner Cooper declared the public hearing open.

Cathy Dugan, 615 Sommers Street, was not in favor of more parking, asked the commission to have the trees saved. She furthermore stated that she hoped that the house on the lot could be moved and not razed.

Paul Peterson, Stevens Point Properties LLC, pointed out currently staff is parking on the street; the properties to the south and west are Stevens Point Properties and Klasinski Clinic the others are owned by someone else.

Dennis Rosenbrook, 408 Prentice Street, stated the clinic has been a good neighbor and has no concerns with the expansion.

Alderson Doxtator stated he has not heard any concerns from any constituents and supports this rezoning.

Commissioner Cooper declared the public hearing closed.

20. Action on the above.

**Motion by Commissioner Brush to approve the request from Paul Peterson, representing Stevens Point Properties, LLC to rezone the property located at 405 Prentice Street (Parcel ID 2408-29-4010-36) from "R-3" Single and Two Family Residence District to "R-5" Multiple Family II Residence District; seconded by Alderson Kneebone. Motion carried 3-1, with Haines voting in the negative.**

21. Request from the City of Stevens Point to purchase 225 West Cornell Avenue.

Director Ostrowski explained that the property at 225 West Cornell Avenue is currently owned by Habitat for Humanity. The city is asking for approval to purchase the property to allow for additional area in this location for better circulation of vehicles and pedestrians, as well as, potential modification to street parking. Given the potential continued growth in the use of KASH Playground, acquiring this piece of property at this time is a strategic decision. If needed in the future, the cost to acquire the property now, as opposed to when a home is on it, is more financially advantageous. Director Ostrowski stated that Habitat is willing to sell the property, as long as they can get out of it what they put in, and find an alternative lot. The request is to purchase this lot for an amount not to exceed \$28,500 plus closing costs. Staff recommends approval.

Commissioner Brush asked about putting gravel down on the lot. Director Ostrowski stated that gravel may be placed on the shoulder area only and not on the interior of the lot.

Commissioner Cooper asked what the zoning was, to which Director Ostrowski answered R-2 Single Family.

Alderson Kneebone said she did not like the idea of using the lot for parking, but does like the option of having this property for future use. Director Ostrowski added that this purchase would only allow for the potential to modify the street parking. There is no intent to add a parking lot at this time.

Cathy Dugan, 615 Sommers Street, objects and feels it is a degradation of land, a loss of green space, and asks the commission to not approve or recommend the purchase.

Barb Jacob, 1615 Depot Street, agrees there is a lack of parking, but feels that the safety of the community is important. If Habitat is willing to sell, the City needs to look at the big picture of what the purchase can do for the whole area.

Alderson Slowinski asked why there isn't more parking on the existing city owned property, and that gravel should be placed on the corner to create more parking by the ball diamond.

Parks Director Tom Schrader stated the park property was donated to the city and the trees at the corner of the ball diamond are for protection of cars and houses from balls hit out of the park. The city has already removed the basketball court and has plans of installing gazebo and potential bike path along the river.

**Motion by Commissioner Cooper to recess to the Common Council, seconded by Alderperson Kneebone. Motion carried 4-0**

**Recessed 6:58pm**

**Commissioner Cooper called the Plan Commission back to order at 7:02 pm.**

Commissioner Brush stated he has concerns with the playground area and the recreational facility, asking if there was adequate parking planned when KASH Playground was installed. Director Schrader stated the street that runs by the playground is a one way street. When KASH Playground was built, no one thought that it would get this much use. Commissioner Brush stated he was reluctant to give up the corner lot and felt that a new parking plan for Mead Park should be reviewed.

Alderperson Slowinski reminded the commission that the Park Board had just approved a new parking lot at West Clark and West Whitney.

Alderperson Doxtator remembers the area being swampy and feels that the purchase of this lot would be a great addition to the area and recommends approval.

**Motion by Commissioner Haines to approve the request from the City of Stevens Point to purchase 225 West Cornell Avenue; seconded by Alderperson Kneebone. Motion carried 3-1, with Brush voting in the negative.**

22. Calling a public hearing for the amendment of Tax Incremental District 5 and Tax Incremental District 7 project plans.

Director Ostrowski explained the amendments to tax increment districts 5 and 7 are to use the excess increment to help pay down the debt in TID 6.

Comptroller Treasurer Corey Ladick explained that the Downtown TID 6 is struggling and not generating funds to service the debt. To make up the difference the taxpayers have to pay for it. Right now TID 5 and 7 are doing very well as 5 is reaching its development agreements cap and TID 7's success is dependent on Travel Guard and the number of employees it has, giving the potential of each to assist in taking the burden off the taxpayers. The proposed amendment will only give the city the option to use the extra funds, not the final say. The Common Council would have to vote on each time funds would be used. This is to just the call for a public hearing, which would be in July, and then will have to go before the joint review board which includes the school district, the county, the and the technical college.

**Motion by Commissioner Cooper to call for a public hearing for the amendment of Tax Incremental District 5 and Tax Incremental District 7 project plans; seconded by Commissioner Haines. Motion carried 4-0.**

23. Adjourn.

Meeting adjourned at 7:11 PM.