

REPORT OF CITY PLAN COMMISSION
Monday, August 2, 2010 – 6:00 p.m.

PRESENT: Chairman Mayor Halverson; Ald. Jerry Moore; Tony Patton; Jack Curtis
(Excused, Anna Haines and Shari Laskowski)

ALSO

PRESENT: Comm. Dev. Dir. Michael Ostrowski; Ald. Mallison, Slowinski, Suomo, Trzebiatowski, M. Stoik, Molski and R. Stroik; Reid Rocheleau; Chuck & Lori Glodowski; Mary Ann Laszewski; Tom Brown; Mike Gehrke; Carl Selle; Bernice Sevenich; Brian Woznicki; John Haka; Rich Sommer; Tim Cullen; Jim Lucas; John Dolar; Eric and Hans Hofmeister; Sarah Robinson, Downtown Business; Matthew Brown, Po. Co. Gazette; Brian Kowalski, Stevens Point Journal

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 2. Discussion and possible action on a request from Lori & Chuck Glodowski, **2116 Patch Street** for a Conditional Use Permit for the purpose of having a single family dwelling unit within the “B-1” Neighborhood Business District, and to construct an addition on the existing single family dwelling unit using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements. **Parcel ID 2408-33-3012-18.**
 3. Discussion and possible action on a request from Open Range Communications for a Conditional Use Permit for the purpose of co-locating wireless communication equipment on an existing tower located at **5217 Heffron Ct. Parcel ID 2308-02-2000-33.**
 4. Discussion and possible action on a request from Anytime Fitness, **200 Division St.**, for a Variance from the Sign Ordinance for the purpose of locating an additional wall sign on the rear of the building. **Parcel ID 2408-29-4003-09.**
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 7. Discussion and possible action on a request from Tim Schertz for a Conditional Use Permit to Operate a Tavern at **817 Clark St. Parcel ID 2408-32-2014-12**
 8. Discussion and possible action on a request from Wisconsin Public Service for a 10 ft. utility easement on the **Whitetail Subdivision Phase 3 lots.**
 9. Discussion and possible action on a request from the City of Stevens Point to rezone the properties at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street from “M-1” Light Industrial District to “B-2” Central Business Transition District (CBD Transition).** **Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**
 10. Discussion and possible action on a request from Jim Lucas for a Conditional Use Permit for the purpose of constructing seven 1-bedroom apartments at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**
 11. Discussion and possible action on transferring the property at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street** from the City of Stevens Point to the Stevens Point Community Development Authority. **Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**
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1. Approval of the Minutes of the June 7 and July 12, 2010 Plan Commission Meetings

Tony Patton moved, seconded by Jerry Moore, to recommend approval of the June 7 and July 12 Plan Commission minutes. Ayes all; Nays none; Motion carried.

2. Discussion and possible action on a request from Lori & Chuck Glodowski, **2116 Patch Street** for a Conditional Use Permit for the purpose of having a single family dwelling unit within the “B-1” Neighborhood Business District, and to construct an addition on the existing single family dwelling unit using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements. **Parcel ID 2408-33-3012-18.**

Michael Ostrowski stated the request is for a two-story addition to their 110 year old single family dwelling. The addition will include a kitchen and garage on the main floor and a rec room, office, closet, master bedroom and bath on the second floor. The existing detached garage will be removed. They are within the “B-1” Neighborhood Business zoning district where single family homes are a conditional use. The property is located within the “R-TND” district which allows for a reduction in the setback requirements. The first request is for a conditional use to expand the single family dwelling, and the second request is to use the “R-TND” setback requirements. Current sideyard setback requirements would be 10’, however the TND setbacks allow for a 4’ sideyard. Staff recommends approval of the proposal.

Jerry Moore moved, seconded by Tony Patton, to recommend approval of the Conditional Use Permit for the purpose of having a single family dwelling unit within the “B-1” Neighborhood Business District, and to construct an addition on the existing single family dwelling unit using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements. Ayes all; Nays none; Motion carried.

3. Discussion and possible action on a request from Open Range Communications for a Conditional Use Permit for the purpose of co-locating wireless communication equipment on an existing tower located at **5217 Heffron Ct. Parcel ID 2308-02-2000-33.**

Michael Ostrowski stated the request is to co-locate wireless communication equipment on an existing tower. A conditional use for the tower was given in 2006, and a conditional use amendment was given in 2007 to increase the height of the tower to 175’. The Zoning Ordinance encourages the co-locating of antenna equipment as opposed to erecting additional towers. No extension of the support facilities or increase in height is being proposed with this project. Staff recommends approval.

Mike Gehrke, SAC Wireless LLC, stated their request is to add 3 antennas and 1 microwave to the existing tower which will expand coverage to the north.

Tony Patton moved, seconded by Jack Curtis, to recommend approval of the request for a Conditional Use Permit for the purpose of co-locating wireless communication equipment on an existing tower located at 5217 Heffron Ct. Ayes all; Nays none; Motion carried.

4. Discussion and possible action on a request from Anytime Fitness, **200 Division St.**, for a Variance from the Sign Ordinance for the purpose of locating an additional wall sign on the rear of the building. **Parcel ID 2408-29-4003-09.**

Michael Ostrowski stated the request is for an additional sign which would be 16.5 sq. ft. in size and internally illuminated. The reason for the request is to make traffic aware of the location of their business. The Sign Ordinance allows for one wall sign not to exceed 100 sq. ft. per tenant in a shopping center. The existing wall sign on the front of the building is approximately 100 sq. ft. Any additional wall signs that a tenant might request would require Plan Commission approval. Staff feels it meets the standards of review as one wall sign can only be seen at one time. The one concern that staff has is that the internal illumination would face a residential district and could cause an adverse effect on those properties. Staff recommends that either the illumination be minimal or the sign not be illuminated at all.

Tim Cullen, TLC Lighting, stated there is 24-hour access to the business and members are using both front and rear entrances. The sign has more of an ambient light. The letters are reversed cut so the illumination will be dimmed.

Ald. Mallison noted he received concerns from some of the residential neighbors on Prentice St. that do not want the light visible from their back yards. There is a nice buffer of trees right now between the properties on Prentice St. and the back of the building. He suggests putting in the condition that if that buffer is ever removed, revisiting that sign and the illumination factor or not having illumination.

Pastor Carl Selle, Peace Lutheran Campus Center, stated they are the only property that faces the back of the shopping center. He is against any sign on the back of the building. There is very little public business traffic on Vincent St. or Vincent Ct. It is basically a service street for the back of the shopping center. The back of the building is cluttered with wires, pipes, 7 dumpsters and 2 loading docks. There is no sidewalk along there and the fitness center currently has pieces of plywood going to their rear entrance which is not safe. The fitness center currently has a door that says "Anytime Fitness Members Entrance". Members do not need a big sign, they just need to find that door. There is adequate parking in front.

Bernice Sevenich stated the back of the shopping center is mainly dumpsters with no parking and sees no reason for people to use the back entrance with all the parking in front.

Ald. R. Stroik questioned why the applicant would want this entrance. Do they feel there is not adequate parking in the front. The back of the building is not a pedestrian-friendly environment for a business to ask their clientele to use. Is there a hardship?

Tim Cullen responded the owner has indicated the sign is to give an ambient glow to the entryway and to identify at night that there is an entrance there and for safety reasons.

Tony Patton moved, seconded by Jack Curtis, to deny the request based on the fact that this is more of an alley than a street and any entry is sort of dangerous.

Ayes all; Nays none; Motion carried.

5. Discussion and possible action on a Certified Survey Map from Spectra Print, **2301 Country Club Drive**, to dedicate their existing southern driveway as a public street. **Parcel ID 2408-35-3000-10.**

Michael Ostrowski stated Spectra Print wishes to dedicate the southern driveway as a public street to allow public access to the rear portion of the property for future development. The minimum width will be 66' and will go up to 80' at various sections. There will also be a sanitary and watermain utility easement to service potential development along Mary's Dr. and the proposed Carol's Ln. duplexes.

Chm. Halverson noted the city would be acquiring the dedicated right-of-way from Spectra Print in exchange for maintenance of the street.

Eric Hofmeister stated by making this a city street, we feel it will make our property more marketable. We are fortunate that Woodward Governor built it so well with 10" of concrete, and it already has curb and gutter, and lights. We would like to have one name for the entire street and have it connect directly with Mary's Dr. and Carol's Ln.

Ald. Trzebiatowski agrees with the street and suggested Woodward Parkway or Drive and would delineate between the business park and residential.

Chm. Halverson felt the street should have one name from Carol's Ln. to Country Club Dr. . In addition to Woodward Dr., other suggestions have been a request from the family of Scott Schultz for the street to be named after him. The naming will be done at a different meeting.

Jerry Moore moved, seconded by Jack Curtis, to recommend approval of the Certified Survey Map from Spectra Print, 2301 Country Club Drive, to dedicate their existing southern driveway as a public street. Ayes all; Nays none; Motion carried.

6. Discussion and possible action on a request from Spectra Print, **2301 Country Club Drive**, for a Variance from the Sign Ordinance for the purposes of erecting an additional freestanding sign. **Parcel ID 2408-35-3000-10.**

Michael Ostrowski stated the request is to remove the existing sign and erect two new ground signs to eliminate confusion for driveways. One sign would be 72 sq. ft., 9-10 ft. high and the second would be 36 sq. ft., 8-9 ft. high which would be a total of 108 sq. ft. and is less than the total allowable 150 sq. ft. in "M-2" zoning. Due to the challenges at the site including the large size of the parcel, the number of businesses located at this parcel, and the dual entrances for the business, staff recommends approval of the request for two ground signs with the following conditions: 1) the existing freestanding signs are removed, 2) neither sign shall be located within the vision triangle requirements, and 3) a landscape plan for the sign base be submitted and approved by the Community Development Department. The only other concern was that the 72 sq. ft. sign is quite large and has a white backerboard. The level of illumination might be pretty bright driving down County Club Dr. Maybe the applicant would look at making

a more opaque signboard where the letters are illuminated as opposed to the back of the signboard.

Chm. Halverson moved, seconded by Jerry Moore, to recommend approval of the variance from the sign ordinance for the purposes of erecting two ground signs with the following conditions: the existing freestanding signs are removed, no signs shall be located within the vision triangle, and a landscape plan for the sign base be submitted and approved by the Community Development Department prior to installation of the signs.

Ayes all; Nays none; Motion carried.

7. Discussion and possible action on a request from Tim Schertz for a Conditional Use Permit to Operate a Tavern at **817 Clark St. Parcel ID 2408-32-2014-12**

Michael Ostrowski stated the request is to operate a tavern with live music, be limited to approximately 2-3 days per week and just serve beer. No exterior changes are planned. Staff feels the request meets the standards for review however the only concern they have is with possible noise issues. They recommend this conditional use be reviewed after a two-year period.

Pat Dunn, partner with Tim Schertz in this project, stated they tried for several months to give the kids something to do and it did not pan out. With the absence of Clark Place that brought in some good entertainment, we wanted to rekindle that and bring in some entertainment in the downtown area. We had no issues with our current sound system.

Mary Ann Laszewski expressed appreciation to Mr. Schertz for his work in restoring properties downtown. She noted she is disappointed that this property may become another tavern. It seems the only proposals for businesses are for taverns, apartments, tattoo parlors, or pawn shops. We have been listed as one of the 10 best places to live and have the best water in the nation. Maybe with some marketing we could attract some other types of businesses. If you decide to recommend a bar for this location, keep in mind that this is the entrance to our community. The landscaping in front of the mural has never been done. Before Graffiti's and Player's Lounge were approved, there were excessive restrictions before their taverns were allowed to take off. She hopes some attention will be paid to this property also.

Reid Rocheleau stated this is the gateway to our community. We have Edgewater Manor with elderly people which would be considered residential. We should put the Chamber of Commerce on this property where the public can find it. Do something really unique there and not another tavern.

Ald. R. Stroik expressed concern about another bar and where it is located. The interior was done fantastically and he was hoping the teen club would work. He has taken many phone calls late at night from hi-rise residents regarding noise from other establishments that provide music. If we are going to allow this, we need to spell out conditions that make it easy for us to manage farther down the line. Postpone and make conditions.

Bernice Sevenich noted part of the mural design was for some landscaping and the previous owner would not allow the mural committee to do any landscaping. We do not need

another tavern. Don't we want to see some specialized retail or something in the arts field. If we continue to have taverns, it will never go back to retail.

Jack Curtis stated he does not like to see empty buildings downtown and this is a chance to fill one up. Let's use the property we have and make it work.

Jerry Moore stated the building sat empty for a long time and has now been redone. Mr. Schertz has spent the money and has earned the chance to do this.

Chm. Halverson noted that in light of the fact that Pres. Stroik brought up Graffiti's example as far as additional conditions, perhaps the best thing to do is postpone this until next month for better review of the conditions and different stipulations that were put into Graffiti's conditional use and see if any are applicable to this request.

**Chairman Halverson moved, seconded by Jerry Moore, to postpone this item until the September meeting to allow for review of any possible restrictions.
Ayes all; Nays none; Motion carried.**

8. Discussion and possible action on a request from Wisconsin Public Service for a 10 ft. utility easement on the **Whitetail Subdivision Phase 3 lots.**

Michael Ostrowski stated Wisconsin Public Service is requesting to add a 10 ft. utility easement onto the current proposed Whitetail Phase 3 lots. This easement would be an addition after the right-of-way. In the past, WPS has had to move their service lines costing them dollars and they would like to locate their lines outside of the right of way and put them in a separate easement.

Tony Patton asked if this will be adverse to home owners that want to build.

Michael Ostrowski responded with an easement, you are not allowed to put anything on an easement that is permanent. This will be the new requirement of WPS.

Jerry Moore moved, seconded by Tony Patton, to recommend approval of the request from Wisconsin Public Service for a 10 ft. utility easement on the Whitetail Subdivision Phase 3 lots. Ayes all; Nays none; Motion carried.

9. Discussion and possible action on a request from the City of Stevens Point to rezone the properties at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street from "M-1" Light Industrial District to "B-2" Central Business Transition District (CBD Transition). Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**

Michael Ostrowski noted the current "M-1" zoning is not consistent with the surrounding properties or with the Comprehensive Plan which calls for the area to be more central business. Staff recommends that the two properties be rezoned to "B-2".

Chm. Halverson reviewed some of the uses under both zonings and feels the uses under “M-1” zoning are completely inappropriate for what the site is today and what the city would like to see it become. The key is the allowed differences between “M-1” and “B-2”. We could move forward with a conditional use for apartments within “M-1” zoning. The rezoning should be done regardless of what happens at the site.

Tony Patton moved, seconded by Jack Curtis, to recommend approval of rezoning the properties at 1000 Third Street (former Eagle Plumbing) and 941 Portage Street from “M-1” Light Industrial District to “B-2” Central Business Transition District.

Ayes all; Nays none; Motion carried.

10. Discussion and possible action on a request from Jim Lucas for a Conditional Use Permit for the purpose of constructing seven 1-bedroom apartments at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**

Michael Ostrowski stated the request is to renovate the building to create seven, one-bedroom units. There will be 3 units with a mechanical room on the first floor and 4 units on the second floor. Each unit will have its own exterior entry and the adjacent lot will be used for the parking.

Jim Lucas, ARC Central Developers, stated he has had his eye on this building for a long time and sees the building as a transition from a residential area into the city. Because of this being on the agenda, he has had several emails – one person wants an apartment already and a number of contractors that want to help with the eco-friendly aspect of it.

Mary Ann Laszewski, 1209 Wisconsin St., stated she has been a proponent of preserving the building which is one of the last two free-standing commercial buildings in the original heart of our city. She is disappointed that every time there is a mixed use TIF development the residential component is always the first to be recommended as opposed to commercial or industrial. We need jobs before housing. If these apartments are being built with the owners own money, she wouldn’t object to this development. She can support the project with TIF funding if it is creating jobs, but not if it is creating housing.

Reid Rocheleau stated he is opposed to giving a conditional use to turn it into apartments unless we see some cold hard cash that it is his money that he is going to do it with. We paid good money for these properties and he doesn’t want us to give them away. Let’s market this community and move this town forward. We can do better than apartments.

Tom Brown, 317 Sixth Ave., thanked Michael Ostrowski, Community Development Director, for his staff reports which are really top notch. He supports the project but expressed concern with the building/lighting/elevation/architectural elements being included in the staff report conditions. These elements are under the purview of the Historic Preservation/Design Review Commission. He supports the rezoning and the conditional use permit but requested that the architectural elements of the conditions be deleted.

Brian Woznicki, 2141 Blaine St., requested that the commission deny the request because there are way too many apartments in the city. He provided a newspaper with 57 ads for apartments with 28 of the ads having multiple units available. He suggested possibly an elderly care facility that would provide jobs either on the Lullabye site or this site.

John Dolan, partner with Jim Lucas, noted they are putting up their own money to do this. We are talking about bringing something to this community that does not currently exist which is an eco-friendly building. We want to do this for the community.

Chm. Halverson stated the uniqueness of their concept and the constructive re-use of the building is something he supports. Single bedroom units are a positive. Saving a building from demolition is something that we need to take into account. The longer a building sits vacant and blighted, the more the property values will decline in the surrounding areas. This is a way of eliminating blight with investment.

Tony Patton noted it is not our job to decide what businesses come into Stevens Point. This is unique because they are one bedroom apartments and will be great for the area.

Chm. Halverson moved, seconded by Jerry Moore, to recommend approval of the Conditional Use Permit for the purpose of constructing seven 1-bedroom apartments at 1000 Third Street (former Eagle Plumbing) and 941 Portage Street and forward the proposal on to the Historic Preservation/Design Review Commission for their consideration with the following conditions: 1) a certified survey map is needed to combine the parcels; 2) if fiber cement siding is used, that the appearance resemble brick on at least 25% of the elevation; 3) architectural elements shall be provided above the windows to break of the façade; 4) due to the lack of available parking, there shall only be a single tenant per unit. If parking can be increased to 1.5 spaces per one bedroom unit, this requirement can be removed. This shall be reflected in the multi-family license; 5) parking lot and dumpsters shall be screened; 6) a formal landscape plan shall be submitted for review and approval by the Community Development Department; 7) a lighting plan shall be submitted for review and approval by the Community Development Department; and 8) elevation plans will need to be reviewed by the Historic Preservation/Design Review Commission.

Ayes all; Nays none; Motion carried.

11. Discussion and possible action on transferring the property at **1000 Third Street (former Eagle Plumbing) and 941 Portage Street** from the City of Stevens Point to the Stevens Point Community Development Authority. **Parcel IDs 2408-32-2004-01 and 2408-32-2004-02.**

Michael Ostrowski stated as part of the process to carry out blight elimination, the body who is supposed to carry out this process is the Community Development Authority. We recommend transferring the property to the CDA. Under State Statutes if the City adopts a resolution creating a CDA, they are precluded from doing actions reserved for the CDA. The CDA should be the body carrying out this transaction.

Ald. R. Stroik noted when we talked about the former Lullabye site, it was cited that the boundaries specific to the CDA had to be re-worked and that plan had to be altered before we could act on moving that parcel into the district. Is this contained within that as well.

Chm. Halverson responded no. By 2/3 vote of a resolution of the Common Council, we can authorize the project via the CDA whether or not it is included in that district. That resolution will be in front of the Common Council. The property does not have to be in the original redevelopment district to carry out the redevelopment.

Reid Rocheleau noted you don't have to go to the CDA to sell this property. Let's just sell it to them (the developers) for top dollar.

Chm. Halverson stated the Council does not have to transfer the property. However, if the City of Stevens Point wants to engage in the redevelopment of that particular area, they will be required by State Law to transfer that property, and all other properties within that area that are declared blighted and in need of revitalization, to the CDA. They have to transfer the property if they want to revitalize that area.

One of the concerns that was expressed by multiple alderpersons was that we didn't have a project for the Lullabye site. We have a project that is very clear for this particular site and in order to carry it out, the CDA (because it exists) is the body that needs to be the redevelopment authority of older, vacant, blighted properties in need of revitalization within the central city.

The idea of acquiring that property and declaring it blighted and in need of revitalization will go to the CDA via a public hearing. People have the right to speak at the public hearing before the CDA.

Mary Ann Laszewski noted the CDA was created in 1983 for the purpose of the mall and we chose to incorporate it into our city government. It wasn't a mandate from the State. We also have the power to discontinue the CDA. There were questions at that time as to why the CDA can do these actions better than the council and committees, and how much authority the city is giving away by taking on the CDA. The CDA is too independent and the meetings are infrequent. Even the minutes are not kept at city hall. The CDA is a very powerful committee but not very open and transparent and is not accountable to the public. We should bury the CDA and the original mall plan for which it was created. It has exhausted its purpose. If you vote to approve the transfer, please qualify your reasons for doing so.

Tom Brown noted he would like to receive an agenda for the historic meeting.

Tony Patton moved, seconded by Jack Curtis, to recommend approval of transferring the property at 1000 Third Street (former Eagle Plumbing) and 941 Portage Street from the City of Stevens Point to the Stevens Point Community Development Authority. Ayes all; Nays none; Motion carried.

Meeting adjourned at 7:45 p.m.