

City of Stevens Point Meeting Minutes

City Plan Commission

Tuesday, September 8, 2009

PRESENT: Chm. Mayor Halverson; Jami Gebert; Tony Patton; Anna Haines; Shari Laskowski; Daryl (Bo) DeDeker (Excused, Ald. Jerry Moore)
ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Mallison, Slowinski, Trzebiatowski, and Molski; Dir. of Police & Fire, Jeff Morris; Carl Rasmussen, UWSP; Greg Diemer, UWSP; Joshua Moscinski; Jim and Debbie Billings; Dan Withrow; Mike Zsido; Jackson Case; Reid Rocheleau; Dave Medin; Gene Kemmeter, Po. Co. Gazette

Index of these minutes:

- 1) Approval of the Minutes of the August 3, 2009 Plan Commission meeting
- 2) Annex 6 Acre land along Moses Crossing and zone the property "R-2" Single Family
- 3) Site Plan Review UWSP Chiller Building north of Allen Center, (401 Reserve St.)
- 4) Sale of 0.1 acres - City-owned property Red Arrow/First St.
- 5) Amend 23.02 (1)(h)3. "R-TND" Traditional Neighborhood Development Overlay District to include Two Family Dwellings as Eligible for a Lesser Setback as a Conditional Use
- 6) Conditional use - apply Traditional Neighborhood Development Overlay District Setbacks to a porch request at 1916-18 Water St.
- 7) Conditional use - apply Traditional Neighborhood Development Overlay District Setbacks to a porch request at 734 Portage St.
- 8) Conditional Use - Expand liquor consumption premises for Tilted Kilt - 1501 North Point Dr.
- 9) Conditional Use - Expand liquor consumption premises for Final Score at 908 Maria Dr.
- 10) Relocation Order & acquisition of Easement for Water St. Reconstruction Project approx. Wisconsin St. to Whiting Ave.
- 1) Approval of the Minutes of the August 3, 2009 Plan Commission meeting

Tony Patton moved, seconded by Anna Haines, to recommend approval of the minutes of the August 3, 2009 Plan Commission Meeting.
Ayes all; Nays none; Motion carried.

- 2) Annex 6 Acre land along Moses Crossing and zone the property "R-2" Single Family See Memo

Dave Medin, representing Community Church, stated they purchased the property in 2006. Their church is very active and large enough that they need to look at building on the property.

John Gardner noted this annexation was anticipated when the subdivision was approved and staff recommends approval of the annexation and single family zoning.

Jami Gebert moved, seconded by Shari Laskowski, to recommend approval of the annexation of 6 acres along Moses Crossing as shown on the attached map, and "R-2" Single Family Zoning for the property.

Ayes all; Nays none; Motion carried.

- 3) Site Plan Review UWSP Chiller Building north of Allen Center, (401 Reserve St.) See Memo

Carl Rasmussen, UWSP Planner, stated the building will be located north of the Allen Center and is part of a much larger project that will provide chilled water for air conditioning purposes to residence halls on the north one-half of the campus and also connect to the central part of the campus. We will be installing two, 1,000 ton chiller units which will require laying over a mile of pipe. The noise decibel will be equivalent to street traffic. These units will be so efficient that we will use them as much as possible. The building will be rectangular with screening which will conceal it.

John Gardner noted the closest city residents are approximately 550 ft. from this site. UWSP dorms are much closer than city residents.

Chm. Halverson noted elements have been incorporated into the design to not make it look like your average hvac building.

Anna Haines moved, seconded by Bo De Deker, to recommend approval of the site plan for the UWSP Chiller Building north of the Allen Center as presented.

Ayes all; Nays none; Motion carried.

- 4) Sale of 0.1 acres - City-owned property Red Arrow/First St.

John Gardner stated we believe we approved this sale a long time ago but rather than go through years of records, we put it on the agenda to approve the sale of the 64' x 67' piece of property to the property owner to the east.

Jami Gebert moved, seconded by Anna Haines, to recommend approval of the sale of 0.1 acres of city-owned land located at Red Arrow/First St.
Ayes all; Nays none; Motion carried.

- 5) Amend 23.02 (1)(h)3. "R-TND" Traditional Neighborhood Development Overlay District to include Two Family Dwellings as Eligible for a Lesser Setback as a Conditional Use

John Gardner stated we discussed this at the last meeting and suggested including two family dwellings to the district. This change is not for one person. There may be hundreds of two family properties within this district that may benefit but he doesn't anticipate a lot of these requests.

Jami Gebert moved, seconded by Chm. Halverson, to recommend approval of the amendment to the "R-TND" Traditional Neighborhood Development Overlay District to include Two Family dwellings as eligible for a lesser setback as a conditional Use.

Ayes all; Nays none; Motion carried.

- 6) Conditional use - apply Traditional Neighborhood Development Overlay District Setbacks to a porch request at 1916-18 Water St. See Memo

John Gardner stated this is the same request as last month. The project is done and fits the neighborhood and staff recommends approval.

Jami Gebert moved, seconded by Bo De Deker, to recommend approval of the conditional use request to apply Traditional Neighborhood Development Overlay District setbacks to a porch request at 1916-18 Water St. based on compliance with the conditional use standards and with the following conditions/restrictions: 1) the structure be built in a similar manner as shown on the attached drawing, and 2) the treated lumber used to construct the porch be stained or painted (not left as raw treated wood).

Ayes all; Nays none; Motion carried.

7) Conditional use - apply Traditional Neighborhood Development Overlay District Setbacks to a porch request at 734 Portage St. See Memo

John Gardner stated the owner is replacing siding and other improvements to the property. The request is to expand an existing porch, move an interior door and enclose it like a three-season porch with a lesser setback. The porch would have two large windows to the street, another side window and a door to the east. The setback is consistent with the rest of the neighborhood, the windows would present an open look to the street and we recommend approval.

Jami Gebert suggested a sunset clause of July 31, 2010.

Chm. Halverson moved, seconded by Shari Laskowski, to recommend approval of the conditional use request to apply Traditional Neighborhood Development Overlay District setbacks to a porch request at 734 Portage St. based on compliance with the conditional use standards, with the following conditions/restrictions: 1) the porch be built as shown on the attached drawing and include two 60" x 54" windows facing Portage St., 2) the structure must be completed by July 31, 2010. In the event the porch addition is not completed, this conditional use permit shall terminate. Ayes all; Nays none; Motion carried.

8) Conditional Use - Expand liquor consumption premises for Tilted Kilt - 1501 North Point Dr. See Memo

Dan Withrow, Ramada Inn Mgr., stated the patio would be right outside the current exit fire doors. We would still have two other separate doors for emergency use. The patio would have a 4' high fence with plantings and would hold approximately 24 people. It will increase the visibility of the tavern/restaurant.

Chm. Halverson noted given the rules and procedures that we have adopted to take a look at these types of activities, this seems to be a reasonable request. There aren't any land use conflicts with any adjacent property owners,

Bo De Deker questioned whether the patio would create any hazards for emergency vehicles.

Dir. Morris noted they did not see any problems because of the space in the parking lot.

Ald. Trzebiatowski noted we have approved other outdoor patios approved with higher fences. Shouldn't we be uniform.

Dan Withrow responded they referenced that with the police and they were more concerned with the depth of the plantings (separating patrons from the public area) than the height of the fence.

Dir. Morris noted Tilted Kilt has cooperated with the police department and we don't have a problem. Ultimately it is the responsibility of the operator to police the consumption of alcohol.

Tony Patton moved, seconded by Chm. Halverson, to recommend approval of the conditional use request to expand the liquor consumption premises as shown on the attached application for 1501 North Point Drive based on compliance with conditional use standards, with a sunset clause of June 30, 2010.

Ayes all; Nays none; Motion carried.

9) Conditional Use - Expand liquor consumption premises for Final Score at 908 Maria Dr. See Memo

Jim Billings, owner of 908 Maria Drive, stated the patio will be 16' x 24' which is only accessible from the inside with a 6'-8' high fence around it and will be used April through October. The closest residence is 66' away and he owns that property. The patio would hold 3-4 tables and approximately 24 people. He will be erecting a 6' x 72' fence along the lot line between the bar and the residence. They will provide security lighting to the patio area. We are trying to be proactive and confine the smokers to a smaller area and keep them out of the parking lot.

Chm. Halverson questioned if they will have a staff person to monitor the area.

Jim Billings responded they will monitor it and see how busy it is and provide someone when needed.

Bo De Deker questioned if there is a door from the patio leading to the parking lot.

John Gardner responded an exit door would be required from any enclosed area. It can be set up so that you can open it from the inside only and still meet exiting codes.

Ald. Trzebiatowski noted one of the criteria for a bartender's license is that they have constant view of the area. Pete's Sports Bar volunteered to put a camera outside to monitor.

Jim Billings responded they plan to put a security camera on the patio in addition to the inside security cameras.

Dir. Morris noted under state law we can't regulate smoking. The definition of a smoking area is an area that has either no walls or three walls with an opening that is 25% or larger if there are four walls with a roof. If you enclose it enough to make it four seasons, you can't smoke there. If you're going to have a dual purpose room to smoke and consume alcohol, it has to be fairly open. Sound and drinking will permeate to the neighbors which are why we are so concerned with the distance to the closest neighbor. You have to take these on a case-by-case basis because each bar is in a different location. A little prevention saves a lot of trouble for everyone. He asks for a sunset clause for one year for review. We ask that the outdoor liquor consumption stop at 10:00 p.m. much the same as with the volleyball court next door.

He noted he is not aware of any responsible bar that does not have security cameras. We encourage them to view the footage now and then for clarity to see if the camera quality needs updating.

Tony Patton moved, seconded by Anna Haines, to recommend approval of the conditional use request to expand the liquor consumption premises for 908 Maria Drive based on compliance with conditional use standards with the following conditions/restrictions: 1) the conditional use permit shall terminate on June 30, 2010, 2) a 5 ft. lattice fence shall be constructed around the perimeter of the patio, and 3) a privacy fence shall be constructed along the north property line between the house and the patio.

Chm. Halverson asked if the motion includes the 10:00 p.m. deadline to stop consumption.

Tony Patton noted he is not including that because it is hard to ask people to do. Other patios may have a band that plays until 11:00 p.m. and he feels it is an unrealistic standard to put on them and would hurt their business.

Ayes all; Nays none; Motion carried.

10) Relocation Order & acquisition of Easement for Water St. Reconstruction Project approx. Wisconsin St. to Whiting Ave.

John Gardner stated this is part of the reconstruction which will be happening next summer. We are not widening the road. This allows the city to acquire the balance of the temporary limited easements that have not been granted.

Chm. Halverson stated this project has been put off for several years because the state funding was put off for several years. This portion of Water Street is in extreme need of attention to the pavement. The sewer and water utilities in Water Street are some of the oldest remaining in the city.

Tony Patton moved, seconded by Bo DeDeker, to recommend approval of the relocation order and acquisition of Easement for the Water Street Reconstruction Project approximately between Wisconsin St. to Whiting Ave.

Ayes all; Nays none; Motion carried.

Meeting adjourned at 7:00 p.m.

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