

REPORT OF THE CITY PLAN COMMISSION

Monday, March 7, 2011 – 6:00 p.m.

PRESENT: Ald. Jerry Moore, Tony Patton, Anna Haines, Shari Laskowski, and Jack Curtis

EXCUSED: Chairman Mayor Halverson and Maurice Rice

ALSO PRESENT: Community Dev. Dir. Michael Ostrowski, Public Works Dir. Joel Lemke, Ald. Mary Stroik, Ald. Joanne Suomi, Ald. Randy Stroik, Ald. Brian Brooks, Ald. Jeremy Slowinski, William and Julie Olsen, Larry Stuczynski, Jason Glisczynski, Jared Redfield, Chris Loken, Jackson Case, Donna Watson, Fran Fink, Bob Quam, Peter Wachowiak, Bernie Coerper, John Brown, Barb Jacob, Brian Suchowski, Bernice Sevenich, and Ken Kracht

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3. Discussion and possible action on a request from the City of Stevens Point, for the City of Stevens Point to vacate land in the Whitetail Subdivision between parcels **2408-15-4004-19** and **2408-15-4004-20**.
4. Discussion and possible action on a request from the Salvation Army to rezone the property located at 1600 Briggs Street from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District. **Parcel ID 2408-32-1002-05**.
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6. Discussion and possible action on a request from Jackson Case for a Conditional Use Permit, for the purposes of constructing an addition onto Premier Auto Body, which is located at **3725 Patch Street**. **Parcel ID 2308-03-2200-47**.
7. Discussion and possible action on a request from Jason Glisczynski of Player's Lounge, **2124 Rice Street**, for a Conditional Use Permit to operate a tavern with (1) a temporary premise extension for the sports area for two events to be held on March 26, 2011 and April 16, 2011, (2) a temporary premise extension for the outdoor area for an event on August 12, 2011, and (3) a permanent premise extension for the sports area during league play. **Parcel IDs 2308-04-2006-03 & 2308-04-2006-04**.
8. Discussion and possible action on the redevelopment plans for the Mathias Mitchell Public Square.
9. Adjourn.

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1. Approval of the report of the February 7, 2011 Plan Commission meeting.

Motion by Patton to approve the report as presented; seconded by Haines. Motion carried 5-0.

2. Discussion and possible action on a request from Larry Stuczynski for the City of Stevens Point to vacate public right-of-way in the Eagle Pointe Subdivision between parcels **2408-21-2001-25** and **2408-21-2001-29**.

Director Ostrowski reported that Mr. Stuczynski is requesting that the City vacate the current right-of-way in the Eagle Pointe Subdivision that was intended to be used as a cul-de-sac for two additional lots. The right-of-way area is approximately 66' x 160'. Mr. Stuczynski has indicated that he will be combing the four lots into two lots, as a purchaser has indicated that they would like a larger lot to develop. Staff would recommend approval of this right-of-way vacation.

Motion by Patton to approve the vacation of the public right-of-way; seconded by Laskowski. Motion carried 5-0.

3. Discussion and possible action on a request from the City of Stevens Point, for the City of Stevens Point to vacate land in the Whitetail Subdivision between parcels **2408-15-4004-19** and **2408-15-4004-20**.

Director Ostrowski reported that the City of Stevens Point is proposing to donate two pieces of land to adjacent property owners to the south. With recently created lots in the Whitetail Subdivision, it created remnant lands between the new lots and the original plat. These remnant lands are not needed by the City and would be inaccessible or landlocked. Both land owners to the south have agreed to accept the lands. Staff would recommend approval of the land dedication.

Motion by Laskowski for the City of Stevens Point to dedicate the remnant land north of parcels 2408-15-4004-19 and 2408-15-4004-20, to those property owners; seconded by Haines. Motion carried 5-0

4. Discussion and possible action on a request from the Salvation Army to rezone the property located at **1600 Briggs Street** from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District. **Parcel ID 2408-32-1002-05**.

Director Ostrowski reported that the next two items go together, the first is to rezone the property from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District and the second is to allow a parking lot within the front/street yard in a "R" district. In order to make the area safer, given the YMCA daycare is adjacent to this property, the Salvation Army wishes to install a parking lot in the front of their building along Briggs Street. The installation of a parking lot would remove some of the congestion off of Briggs Street. Their current zoning of the property of R-4 requires a 25 foot setback for the parking lot from the front property line. There is not enough room to install a parking lot with a 25 foot setback. The R-5 district only requires a 15 foot setback for the parking lot from the front property line. Therefore, the Salvation Army is requesting to rezone the property to R-5. In addition, the Building and Premises Maintenance / Occupancy Ordinance and the Zoning Ordinance do not allow parking areas to be located within the street yard in residential districts, without approval from the Plan Commission and Common Council. Staff would recommend approval subject to the plantings in the front/street yard being changed to evergreen type shrubs and that evergreen type shrubs be installed along the entire depth of the parking lot on the west side. The evergreen type shrubs should be a minimum of three feet high. In addition, street trees should be installed at a rate of

one per 50 lineal foot of frontage along Briggs Street (about three would fit in the planting area). The plantings shall not interfere with the vision triangle or clearance. In addition, these planting shall be maintained in perpetuity.

Laskowski asked would the street trees be on the south side. Director Ostrowski stated that is correct.

Haines asked why the evergreen shrubs. Director Ostrowski stated to provide more screening of the parking lot. The Boston Funeral Home would be an example of the type of screening requested. The evergreen shrubs screen the parking lot very well, even in winter.

Bernice Sevenich - 1324 Fourth Avenue: Ms. Sevenich said she is not in favor of the parking lot in the front yard. In the past the area has developed from single family residential to more rentals. In addition, the area is very busy. At that time, landlords began putting parking lots in back yards to supply parking for their tenants. She believes that the Salvation Army should locate the parking lot in the rear yard or on the west side of the building. She requests that the ordinance not be changed.

Director Ostrowski clarified that we are not looking to change the parking ordinance, but to change the zoning classification and allow a parking lot in the front/street yard for this specific property. This is not a blanket ordinance change that would cover the entire city, but rather this specific property.

Donna Watson - Advisory Council for the Salvation Army: Ms. Watson appreciates the concerns of the neighborhood; however, the block before the Hope Center is the YMCA. Currently, only two residences and the funeral home are on their block. She does not think that a parking lot in the front yard would be out of line for that area, and due to staff and residents with cars, there is a concern for safety.

Bob Quam – Director of Operations for the Salvation Army: Mr. Quam stated that they did look at several options for the parking, and the lot in the front yard is the only viable option. They are willing to screen the area and keep the integrity of the neighborhood, with the hope of improving the look as well. They had looked at a lot in the rear yard, or the area west of the building, but due to the lot layout, there was not enough room.

Bernice Sevenich - 1324 Fourth Avenue: Ms. Sevenich stated that the Salvation Army should look at purchasing property to the west and put in a driveway to the rear of their building.

Bob Quam - Director of Operations for the Salvation Army: Mr. Quam stated that there are three properties involved and that would not work.

Patton asked how many parking spaces would be created. Director Ostrowski indicated that 11 total spaces would be created, with one being a handicap space. Director Ostrowski also stated that the parking lot would have to be 15 feet from the street and 10 feet from the side property lines.

Peter Wachowiak - Salvation Army Maintenance: Mr. Wachowiak stated that this is also a safety factor due to the pickup and drop off of children at the YMCA daycare.

Motion by Haines to rezone the property located at 1600 Briggs Street from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District; seconded by Laskowski. Motion carried 5-0.

5. Discussion and possible action on a request from the Salvation Army to allow a parking lot in the front/street yard in a residential district. **Parcel ID 2408-32-1002-05.**

Tony Patton asked what the zoning is across the street. Director Ostrowski stated it is R-4 Multiple Family I.

Motion by Patton to allow a parking lot in the front/street yard in a residential district, with the following conditions:

1. **The parking lot is completely screened on both the south and west sides with evergreen type shrubs that are a minimum of three feet tall.**
2. **Street trees are installed along Briggs Street at a rate of one per 50 lineal feet of frontage, as per ordinance.**
3. **The plantings shall not interfere with vision triangles or clearance.**
4. **All plantings, shrubs, and trees shall be maintained in perpetuity.**

seconded by Laskowski. Motion carried 4-1 with Curtis voting in the negative.

6. Discussion and possible action on a request from Jackson Case for a Conditional Use Permit, for the purposes of constructing an addition onto Premier Auto Body, which is located at **3725 Patch Street. Parcel ID 2308-03-2200-47.**

Jackson Case - Guzman Case Corporation: Mr. Case stated that this item has been in front of the Plan Commission before, but the project failed to commence prior to the deadline. Therefore, he is bringing this slightly different project back for review. At this time they are planning construction for spring. He feels this is a good fit for the neighborhood, and the owner is in agreement with all the conditions listed in the staff report.

Haines asked for clarification on foundation landscaping and the swale. Director Ostrowski stated that foundation landscaping is the planting around the foundation/building area. Mr. Case stated that the swale in question is for stormwater retention. The swale will be a cut out in the soil to migrate the water away from the property line, and all plans would be approved by the city engineer prior to the permit process.

Motion by Haines to approve the Conditional Use Permit for constructing an addition onto Premier Auto Body with the following conditions:

1. **The storage area shall be fenced from the west and east with a fence at least 8' tall to block vision of the stored vehicles (if a chain link fence is used, the fence must not have privacy slats, but instead require "pipe cleaner" hedge slats or "winged slats" which are wider and provide more privacy).**
2. **If any trees are removed within the 10' setback to the south, they shall be replaced with an 8' solid fence or chain link fence with "pipe cleaner" hedge slats or "winged**

slats” and maintain as much of the existing foliage as possible. Trees more than 10’ from the south property line may be eliminated at the owner’s option.

3. On-site drainage shall be approved by the Public Works Department.
4. No parking shall be allowed in front of the storage area on the east side.
5. Foundation landscaping shall be installed around the building.
6. No trash containers, inoperable automobiles, parts, or similar materials shall be stored outside the fenced storage area.
7. The project shall be completed within one year after final approval, and may be granted a six month extension with approval by staff.

seconded by Patton. Motion carried 5-0.

7. Discussion and possible action on a request from Jason Glisczynski of Player’s Lounge, **2124 Rice Street**, for a Conditional Use Permit to operate a tavern with (1) a temporary premise extension for the sports area for two events to be held on March 26, 2011 and April 16, 2011, (2) a temporary premise extension for the outdoor area for an event on August 12, 2011, and (3) a permanent premise extension for the sports area during league play. **Parcel IDs 2308-04-2006-03 & 2308-04-2006-04.**

Director Ostrowski reported that Mr. Glisczynski is requesting a conditional use permit to allow for a temporary premise expansion to include the sports center area for two events (see project description for dates and times), a permanent premise expansion to include the indoor courts during league play, and a temporary premise expansion to include the outdoor area for a corporate event. Director Ostrowski indicated that, as the Commission did in October of last year, he would recommend that the interior requests be determined by the Public Protection Committee and Common Council. The one concern that staff has regarding the interior requests are the noise levels. However, no noise complaints have occurred since the last request. In regards to the temporary premise extension for the outdoor area for an event on August 12, 2011, staff does have some concerns. Mainly, previous conditions have not been met, including the landscaping and painting of the exterior of the south side canopy. The curb has not been installed on Rice Street, but the entrance has been sealed off with the installation of the berm.

Given the nature of the event to be held outside, and its conclusion by 10:00 p.m., staff feels that it would not be detrimental to the public. If approved, this would be the first approved outside event for Player’s Lounge. This event will help determine the possibility for future events. Therefore, staff would recommend approval of the requests with the following conditions:

- Prior conditions of landscaping (landscaping bark piles shall be put into planters) and painting of the exterior on the south side canopy/poles be completed by June 1, 2011. Inspection Division to verify.
- Event is concluded by 10:00 p.m.
- Premise area shall be at least 25 feet from property lines.
- Any garbage or trash shall be removed from the property within 24 hours following the event.
- Snow fencing must be removed within 48 hours following the event.
- Event must be monitored by staff.

- All alcohol must be consumed within fenced area.
- Mr. Glisczynski must provide to the City a written, binding agreement between Player's Lounge and the property owner of the adjacent lot where the event is going to be held prior to the event. This agreement must be approved by the City Attorney.

Haines was concerned on the timing of the past conditions. Director Ostrowski clarified that there were previously placed conditions, but they have not been met as of today. Director Ostrowski indicated that the June 1, 2011 timeline is more than enough time to complete these conditions. If they are not completed, the event will not be allowed to occur.

Ald. Michael O'Meara Third District: Ald. O'Meara would like to have a better description of the outside event and as to what is to take place.

Jason Glisczynski – 1920 Adams Street Plover: Mr. Glisczynski stated that in the packet, there is a description of the event. The outdoor event is a corporate picnic for an investment advisory board and their mostly retired clients. The event would last from 2:00 p.m. to 10:00 p.m. with picnic food and a cash bar.

Ald. Moore clarified that this current request is just for the conditional use, and it will still need to be acted on by the Public Protection Committee and Common Council.

Julie Olsen - 2809 Cleveland Avenue: Ms. Olsen wanted clarification about future outdoor events. She asked if future requests need to go before the Common Council, or is this an approval for all events. Director Ostrowski answered that this is just the approval for this single event. Future events would need to go before the Commission and Council each time.

Ms. Olsen stated that initially Player's Lounge was required to put up a berm for noise reductions, but only a few trees have been planted in some landscaping bark. On the south side of the building there is only sunflowers and greenery planted. In addition, the tavern is staying open until 2:00 a.m. Director Ostrowski indicated that there was a five to six foot berm to be installed in the original conditions. However, when the landscape plan was brought back and approved, it was only a two foot berm with plantings. The hours of operation are set within the conditional use permit. They are as follows: Live band concerts held on the premises shall be limited to an 11 p.m. ending of the music performance. DJ or band activity shall cease at 10 p.m. on Sunday through Thursday, and 11 p.m. on Friday and Saturday nights. The tavern/lounge shall close at midnight on Sunday through Thursday nights and 2 a.m. on Saturday and Sunday mornings.

Tony Patton asked if the conditions previously set have been met. Director Ostrowski stated that some of the previous conditions have not been met, including the landscaping and the painting of the canopy on the south side of the building.

Motion by Patton to approve the internal requests and forward them on to the Public Protection Committee and Common Council, and approve the exterior request and forward it on to the Public Protection Committee and Common Council with the following conditions:

1. **Prior conditions of landscaping (landscaping bark piles shall be put into planters) and painting of the exterior on the south side canopy/poles be completed by June 1, 2011. Inspection Division to verify.**
2. **Event is concluded by 10:00 p.m.**
3. **Premise area shall be at least 25 feet from property lines.**
4. **Any garbage or trash shall be removed from the property within 24 hours following the event.**
5. **Snow fencing must be removed within 48 hours following the event.**
6. **Event must be monitored by staff.**
7. **All alcohol must be consumed within fenced area.**
8. **Mr. Gliszynski must provide to the City a written, binding agreement between Player's Lounge and the property owner of the adjacent lot where the event is going to be held prior to the event. This agreement must be approved by the City Attorney.**
9. **Previous conditions still remain.**

seconded by Haines. Motion carried 4-0 (Laskowski abstaining)

8. Discussion and possible action on the redevelopment plans for the **Mathias Mitchell Public Square.**

Director Ostrowski gave an overview of the square redevelopment project. He indicated that the redevelopment of the square will create a loop system for traffic flow, a new parking layout, and large common space, new landscaping areas, new lighting, a fountain, and other improvements.

Ald. Michael O'Meara Third District: Ald. O'Meara asked if there is a possible site for a permanent covered space for the Farmers Market. Director Lemke answered that there are no specific designated area, but that the perimeter, or the center area could be reasonable areas if that is necessary in the future.

Ald. O'Meara asked to see the options in a rough sketch prior to the plan coming before Common Council.

Motioned by Laskowski to approve redevelopment plan for the Mathias Mitchell Public Square; seconded by Haines. Motion carried 4-1 with Moore voting in the negative.

9. Adjourned at 7:43pm