

Meeting Minutes

City Plan Commission

Monday, January 7, 2008

PRESENT: Chairman Mayor Halverson; Ald. Jerry Moore; Karen Aldinger; Lois Feldman; Ann Shannon; Fred Steffen; Tony Patton
ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Myers, Hanson, Heart, Slowinski, Trzebiatowski, Molski, Stroik, and Brooks; Town of Hull
Chairman John Holdridge; Eric Hofmeister; Hans Hofmeister; Laverne & Donna Synes; Carol Wollock; Jerry Kirschling; Susan Hansen; Dan
Johnson; Dave & Deb Wilz; Jane Flanagan; John & Pat Lila; Jim & Donna Martin; Wendy Zurawski; Scott Steeter; Cathy Dugan; Debra Wolf;
Shane Swiderski; Lorraine Falkavage; Karen Fadner; Jack & Melinda Rzentkowski; Phil & Jane Gjerve; Kris Yenter; Janet Wolle; Susan Vandre;
Myrna Holdridge; Gary Marquard; Emmet & Marian Polum; Edwin Lepak; Charles McCarty; Rod & Laurel Hoeth; Betty Simmet; Charles & Gail
Klauck; Jackie McCarty; Reid Rocheleau; Scott Whitney; James Voss; Troy & Debbie Leper; Brooke Decker; Jeffrey Krueger; Morrie Karch;
Sharon Meronek; Darla Kraus; Mary Ann Laszewski; Tom & Wesley & Audrey Sprea; Diane Haulfmann; Erik & Heidi Hirzy; Gary Pucci; Bill
Wallner; Gladys Laug; Gene Kemmeter, Po. Co. Gazette; Jason Zencka, St. Pt. Journal.

Chairman Halverson extended thoughts and prayers to Jeff Zabel (former long time Plan Commissioner) and family following the death of his wife.

Index of these Minutes:

1. Approval of the Minutes of the December 3, 2007 Plan Commission Meeting
2. Detailed Flood Plain Maps
3. **Conditional Use Request for Multiple Family Project South Side of Carol's Lane Approximately between Roberts Dr. and Mary's Dr.**

1. Approval of the Minutes of the December 3, 2007 Plan Commission Meeting

Jerry Moore moved, seconded by Ann Shannon, to recommend approval of the December 3, 2007 minutes. Ayes all; Nays none; Motion carried.

2. Detailed Flood Plain Maps

John Gardner stated new flood plain maps are available for the Wisconsin River and Plover River. Not much has changed, but the maps will be much more definitive and detailed and we will have the ability to put this new map over our aerial photos. The floodway is now mapped on the west side. We will have public hearings and the entire process will take approximately six months before FEMA adopts the new maps.

3. Conditional Use Request for Multiple Family Project - South Side of Carol's Lane Approximately between Roberts Dr. and Mary's Dr.

John Gardner reviewed the original site plan (before the apartment complex) and noted the scope has been reduced so they can use the existing road going up to Carol's Lane.

This request is for five, 16-unit buildings with 1,060 ft. of frontage along Carol's Lane and ten 8-stall garages. The south setback is limited by a water main. He provided photos of Mr. Swiderski's existing development on River View Ave.

Eric Hofmeister, Spectra Print, stated they are very excited that Mr. Swiderski has chosen their area for his apartment buildings. We think it will be a very good springboard for their development and a good buffer between the heavy industrial zoning and the neighborhood.

Ch. Holdridge, Town of Hull, stated he applauds the citizens of the Kirschling Subdivision for their participation. The Town of Hull has about 5,800 citizens and is made up almost exclusively of single family homes. The Town board will be discussing this at their meeting tonight, but he thinks he can say with confidence that the support of the Town Board is to keep that traffic internal, exit onto Country Club Dr. and not use Carol's Ln. We're not really sure if Carol's Ln. is entirely in the city. He encourages the city to think about incentive packages for Spectra Print as they have undoubtedly thought of packages for AIG.

Laverne Synes, 5220 Carol's Lane, noted he and his wife researched part of the Carol's Lane situation from January of 1981 to December of 1983 and provided copies of minutes from the joint meeting of the City Plan Commission/Community Development Authority of December 20, 1982, and also the Common Council meeting of December 20, 1982. He reviewed the actions pertaining to the Carol's Lane item (Item #10) of both meetings. A motion and amendment were made and approved to: 1) detach Carol's Lane from the City of Stevens Point and attach it to the Town of Hull, and 2) that the easement be permanent. He received information tonight regarding a court case dated June 30, 1982 which was prior to these meetings. This brings up some questions as to who controls Carol's Lane.

Louis Molepske, City Attorney, stated this is part of the annexation wars from 1967-mid 1980's. There were numerous suits brought against the city by the Town of Hull and this one was one of them. When the city annexed area, they annexed not only the Kirschling Subdivision but also Carol's Lane. The suit was dismissed by the court 25 years ago on its merits for lack of prosecution. It can't be re-opened and the suit is over. There was an agreement in 1985 which provides that the Town of Hull will plow Carol's Ln. and the City will pay to re-construct Country Club Dr. In that agreement, the Town pays 30% to re-condition the road, and the City pays 70%. The agreement continues unless mutually changed by the two parties. Under today's scenario, portions of Country Club Dr. are in the city and portions are in the town, and we maintain 70%/30% until all of that land is annexed adjacent to Country Club Dr. Because of the agreement, it was his assumption that was the end of the suit. When there is a dispute between two municipalities, the court can, upon agreement between the municipalities, set the boundary. The court never did and as a result, the boundary stayed the same and Carol's Ln. is a city street. No one has a formal stipulation.

John Gardner provided slides showing the annexation in 1981 and the second annexation in June of 1982. In September of 1982, the City detached a portion of land from Country Club Dr. to the west line of the then Woodward Governor property.

He provided a letter dated November 29, 1982 from the law firm representing the Town of Hull vs. the City of Stevens Point which clearly shows the area in dispute. The town's major objection to the annexation was including that portion of Carol's Ln. lying between Country Club Dr. and the westerly line of lot 15 of Kirschling's Pleasant View South Subdivision and not the portion of Carol's Lane adjacent to the apartment proposal.

Carol Wollock, 1708 Roberts Dr., read a memo and indicated she has concerns 1) 640 sq. ft. apartments are not considered luxury apartments, 2) the increased traffic from this development (80 units) as well as the Windsor Apartment Complex (approx. 280 units) down the road, and 3) the railroad blocking Country Club Dr. If this project is slated to be a TIF District, they will not be creating jobs and will put a burden and shortfall of monies on all Portage County taxpayers. The land could be better used to create manufacturing jobs, office complexes, clinics/hospitals which would be a greater service to Stevens Point and Portage County.

Thomas Haulfmann, 5316 Carol's Lane, suggested turning the development (and traffic) south, shifting the existing road up a little and go around the existing mechanicals. You would still have the loop. He doesn't feel that is unreasonable.

Debra Wolf, 2117 Falcon's Cove, stated she owns two 6-unit apt. buildings on Brilowski/Sandpiper Rd. She was shocked when she saw the large

Windsor project on HH/Hoover. There are 144 units going up behind Slumberland and then there is the Doolittle Dr. apt. complex. This market is totally absorbed. The competition is huge. Please deny permission for this development.

Karen Fadner, 2022 Mary's Dr., expressed concern about the number of people moving into our neighborhood and the safety, and the fact that these are small apartments next to heavy industry. She expressed concern with #9 of the conditional use standards. She feels this proposal will result in an over- concentration of high density living facilities in one area so as to result in a substantial or undue adverse effect to the neighborhood and protective services. She hopes we find a solution where the traffic from the Spectra Print property empties onto Country Club Dr.

Laurel Hoeth, 1929 Mary's Dr., stated 94% of the subdivision has signed the petition against this development. We have had a number of meetings with the city and Hofmeisters in the past couple weeks and we are trying to talk this out. We want a win-win situation. High density housing is not the best for our subdivision. We need to keep the traffic inside the complex and off of Carol's Ln.

Heidi Hirzy, 1925 Cathy's Dr., read a letter from her children (ages 7, 9, & 12) expressing concerns with the apartments being in their quiet, safe, neighborhood.

Mary Ann Laszewski, 1209 Wisconsin St., stated she had contacted the Wausau city planner and they have a long history of not allowing multiple family units next to a single family neighborhood. They have a policy of having the units exit onto major arterial streets and not into a residential neighborhood. The city planner in Madison stated they try to be sensitive to the traffic impact on the neighborhood, the lifestyles of the neighborhood, and their multiple units also exit onto business streets.

Ald. Slowinski expressed concern with what these apartments will look like years down the road. He questioned why they can't flip the buildings around and have them exit onto Country Club Dr.

John Gardner responded there would be expense for the construction of the road itself (1,500-2,000 ft) and relocating the utilities.

Eric Hofmeister noted initial estimates for road construction were one-half million dollars without any utility relocation.

Fred Steffen stated 640 sq. ft. is not a luxury apartment. He suggested putting all 10 of the garages in one long row from west to east up to Mary's Dr. He has to put the blacktop in anyway, why not run the driveway all the way across. He would save money on the cost of the street, he wouldn't be dumping onto Carol's Ln. but onto an existing road that already goes out to Country Club Dr. They would be driving slower going through the parking lot than down Carol's Ln. This plan would not cost Hofmeisters any more money, would cost Swiderski less money, get traffic off Carol's Ln., and preserve the subdivision.

John Gardner clarified you are suggesting to move all the garages in a line parallel to the row of buildings. To get from the western parking lot to Mary's Dr., you would have to drive through all the parking lots. He would be a little cautious for a couple of reasons. This new design would have to be reviewed by protective services. His suspicion is they are going to need more than one access to the property. There is a code that says you have to have a certain amount of pavement around every building and keep it clean of snow and this design may not accomplish that. Off the top of his head, he thinks the firemen will tell him they won't live with that one long access to get to the emergency access. He thinks they will want two access points and wants their input. It is an interesting alternative and something that hasn't been discussed with the developer.

Shane Swiderski felt it was a poor design.

Ann Shannon noted she has received numerous phone calls in the last month and the citizen participation has been outstanding. They have been very polite and respectful. She would like to see the property remain manufacturing because manufacturing is an important aspect of a community. She also understands that in order to make this whole project work, Eric and his family have to move ahead. She is concerned about Carol's Ln. and feels it needs more conversation.

Tony Patton moved, seconded by Karen Aldinger, to recommend approval of the conditional use request for this project and include the five conditions listed in the staff memo.

Jerry Moore suggested a friendly amendment that the developer put in a sidewalk the entire length of this development because there is a park at the end of the street and there are no other sidewalks.

Chm. Halverson repeated the amendment as follows: to "include as part of the conditions the creation of single piece of a sidewalk from the western-most boundary of the development to the eastern-most boundary of the development along Carol's Lane preserving as many of the trees as possible and not disturbing the natural barrier."

Tony Patton and Karen Aldinger accepted the amendment.

John Gardner noted in making a finding for a conditional use permit, the commission needs to find that the standards are met and that the plan is consistent with the standards included in the packet.

Tony Patton and Lois Feldman agreed to include that in the motion.

Lois Feldman requested a vote on the amendment to the motion because she feels there might not be enough space between the street and the trees for a sidewalk.

Jerry Kirschling noted the fence is about 6" off the property line and the trees are right up to the private side of the fence. There is some other vegetation growing on the north side of the fence.

John Gardner stated with a 66' right-of-way, he believes there should be room for the existing pavement and a small ditch to take care of the water from the street, and the sidewalk, and still not come up to the fence. You never know until you get out in the field and look at it. Someone will have to look at it between now and the council meeting.

Jerry Moore moved, seconded by Tony Patton, to make an amendment to include as part of the conditions the creation of single piece of sidewalk from the western-most boundary of the development to the eastern-most boundary of the development along Carol's Lane preserving as many of the trees as possible and not disturbing the natural barrier.

Ayes, Patton, Aldinger, Moore, Feldman, Steffen and Halverson.
Nays, Shannon. Motion carried.

Fred Steffen moved, seconded by Ann Shannon to make an amendment that the road be on the inside of the property and empty out onto Country Club Dr. and not empty out onto Carol's Ln., using his site plan or another plan that would bring the road through to Country Club Dr.

Chm. Halverson responded he is not going to allow the amendment. It is not in order and is too vague. You must either vote this plan down and have them come back with a new one, or vote for the plan as proposed (the motion).

Ald. Stroik stated he worked in the Woodward Governor facility for many years and noted that Mary's Dr. is not a true road. The section of road that services the two parking lots at the back of the building is the only true road. Otherwise it is gravel.

Ald. Brooks suggested one-way traffic off Carol's Ln. into the parking lots and two-way from the parking lot south on Mary's Dr.

Chm. Halverson stated the question before you is do you want to approve the plan before you given what was a) brought out tonight, b) testified by the citizens of Hull, or postpone again, or approve the plan as is and move it forward.

Lois Feldman moved, seconded by Tony Patton, to make an amendment to the motion to eliminate the fence along the south side of Carol's Ln. on the northern boundary of the property.

Ayes, Feldman, Patton, Aldinger, Moore, & Halverson; Nays, Shannon & Steffen; Motion carried.

(Final motion reads as follows:)

Tony Patton moved, seconded by Karen Aldinger, to recommend approval of the conditional use request for this project on the basis that the conditional use standards have been met with the following conditions/amendments:

- 1) adequate sanitary sewer and water be provided to the site
- 2) storm drainage plans are submitted which include on-site retention. No ponds deeper than 24 inches from finish grade shall be created in the street setback of any building.
- 3) landscaping plans be submitted for the front of all buildings, which meet the following:
 - a. at least one tree per dwelling unit shall be planted outside the parking screening area (minimum size of the tree at planting shall be 1.5 inch caliper)
 - b. at least one plant for each 30 inches of building facing the street shall be planted. The size of the plants shall be a minimum of 18 inches at the time of planting. The planting may be relocated to other portions of the site.
 - c. **two windows of at least 20" x 40" each are placed in the garage façade facing the street or at least 3 evergreens of at least 3 ft. high at the time of planting be placed in the front of each garage.**
 - d. all other landscaping requirements of the zoning ordinance are met.
- 4) **increase masonry on the façade of the building to be at least 25% of the façade.**
- 5) existing trees along Carol's Ln. be preserved except for tree removal necessary for driveway entrances.
- 6) creation of single piece of sidewalk from the western-most boundary of the development to the eastern-most boundary of the development along Carol's Lane preserving as many of the trees as possible and not disturbing the natural barrier.
- 7) eliminate the fence along the south side of Carol's Ln. on the northern boundary of the property

Ayes, Patton, Aldinger, Moore, Feldman, and Halverson.

Nays, Shannon and Steffen; Motion carried.

Meeting adjourned at 7:35 p.m.

Meeting adjourned at approximately 4:25 p.m. The meeting minutes reproduced on this website are derived from the computer files used to produce the official minutes for the City of Stevens Point, but are unofficial. The minutes on this web site cannot be certified under s. 889.08, Wis. Stats., and cannot be considered prima facie evidence under s. 889.04, Wis. Stats. Certain tables, maps, and other documents that are a part of the official minutes are not included in the files reproduced on this website. Please consult the printed minutes, available in the City Clerk's Office, for the official text. The decisions made by City of Stevens Point boards, committees, and commissions (other than the Police & Fire Commission) are advisory only and are not binding on the city until affirmed at a meeting of the Common Council. Some of the minutes on this web site might not be approved by the Common Council as of today.

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