

Meeting Minutes

City Plan Commission

Monday, March 6, 2006 PRESENT: Chairman Mayor Wescott; Ald. Jerry Moore; Ann Shannon; Jeff Zabel; Lois Feldman; Fred Steffen (Excused, Karen Aldinger)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Sevenich, Molski, Trzebiatowski & Stroik; Jeff May; Al Mertes; Lois Meshak; David & Agnes Katzmark; Jami Gebert. Main Street Manager; Mary Ann Laszewski; Lance Stampfli; Elio Pascutti; Cheryl Jakusz; Vernon Kedrowski; Gerald Repinski; Alan Repinski; Reid Rocheleau; Tim Siebert; Anton Anday; Bill Scholfield; Richard Muzzy; Brad Cisewski; Gene Kemmeter, Portage County Gazette; Carlos Gieseken, Stevens Point Journal

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1. APPROVAL OF THE MINUTES OF THE FEBRUARY 6, 2006 PLAN COMMISSION MEETING

Jerry Moore moved, seconded by Jeff Zabel, to recommend approval of the minutes of the February 6, 2006 meeting. Ayes all; Nays none; Motion carried.

2. FINAL PLAT - 2ND ADDITION TO HEFFRON WOODS SUBDIVISION

Chairman Wescott noted staff recommends approval with the conditions listed in the attached memo which honor the requests of the neighboring property owners.

Lois Feldman moved, seconded by Ann Shannon, to recommend approval of the final plat of the 2nd addition to Heffron Woods Subdivision conditioned upon 1) a fee of \$250/lot in lieu of land dedication for each single family lot, 2) approve "R-1" Suburban Single Family Zoning for the entire plat, 3) authorize the Mayor to enter into an agreement to have the land subdivided by the private surveyor as shown, 4) approve the sale of city-owned land, and 5) approve the utility extensions.

Ayes all; Nays none; Motion carried.

3. CONDITIONAL USE - RADIO TOWER - 300 FOREST ST. NORTH

Chairman Wescott noted the request is to build an additional tower near the existing tower to augment the transmission of 1010 AM. Radio towers are not regulated by the Wireless Communication Tower Ordinance for the city. He further noted Plan Commission review is on the tower. The City cannot regulate on signal interference, that is reserved to the FCC.

John Gardner noted the engineer has suggested sites either 40 degrees to the northeast or 220 degrees to the southwest from the existing tower. Staff prefers the site to the southwest because of the distance from the street and how it might affect the overall neighborhood.

Richard Muzzy responded he is comfortable with the site to the southwest. The new tower would vastly improve the radio station reception.

Jeff Zabel questioned the "fall zone".

John Gardner responded these towers crumble instead of falling as one tower. The attached letter from Mueller Broadcast Design indicates if the tower were to fall over, it would be completely within the fall zone of the existing taller tower and remain on the property.

Cheryl Jakusz, 301 Forest Street North, expressed concern with interference with her garage door opener and telephone lines.

Chairman Wescott noted the Plan Commission review is on the tower. The city cannot regulate on interference and recommended that she talk directly with Richard Muzzy. It is a legitimate engineering question for his engineers or the Federal Communications Commission.

Jerry Moore questioned if this includes buildings to power and maintain the equipment.

Richard Muzzy responded to the best of his knowledge, it will run through the current buildings on site.

Fred Steffen moved, seconded by Jerry Moore, to recommend approval of the conditional use for a radio tower 220 degrees southwest of the existing tower at 300 Forest Street North. Ayes all; Nays none; Motion carried.

4. ANNEXATION - 40 ACRES NE CORNER OF BRILOWSKI/COUNTY HH

John Gardner showed the aerial photographs and noted staff recommends approval of the annexation. He suggests temporary zoning of "B-4" Commercial and then work with the owner on restrictive covenants with the permanent zoning to come back next month.

Chairman Wescott stated the required action today is to accept the annexation request, accept "B-4" Commercial zoning, with development of the covenants in the future. The Sewer Service Advisory Committee has approved adding this area to the city sewer service area.

Lois Feldman noted she realizes this is in our comprehensive planning, but is somewhat regretful that more farm land is being turned over to commercial.

Fred Steffen moved, seconded by Ann Shannon, to accept the annexation request for 40 acres at the northeast corner of Brilowski/County HH, with temporary zoning of "B-4" Commercial. Ayes all; Nays none; Motion carried.

5. CONDITIONAL USE - APARTMENT DEVELOPMENT - 717 VINCENT CT AND 1600 FRANKLIN ST.

John Gardner provided slides of the area and stated the entire block is zoned multiple family. This appears to be a transitional area that has a mixture of single family and rental ownership patterns. The current buildings are proposed to be removed and replaced with the two apartment buildings and parking lots as shown. Due to Mosey's Creek, the owner is proposing a parking lot between the buildings. Drainage would be into the storm sewer. There are two positions to take regarding compact parking: The ordinance states up to 20% of the parking may be compact spaces. With this reading this lot should have a maximum of 1 compact parking space with the remaining five compact spaces located in the second parking lot. Six of the eight parking spaces in the first lot are proposed as compact spaces. The owner feels up to 20% of the entire lot may be compact spaces and he states he will assign those six spaces only to tenants with compact cars. He will control use by assigning spaces. The commission can decide how they want to review this issue..

Jerry Moore stated he assumes this will be student housing and that those students will be trekking back and forth across Division St. cutting through the neighbors back yards, similar to what is done across Division St. He suggests a fence instead of the proposed shrubbery. He is concerned about what 20 extra cars are going to do to the notoriously-congested intersection of Franklin and Division Streets. Just because the property is zoned multiple family, doesn't mean that the infrastructure of the roads can withstand the impact of this improvement.

Chairman Wescott noted he is sensitive to the traffic issues and that issue is under study by the city, university, and the State.

Jeff May, developer of the project, had no problems with the fence. Currently, there are 11 occupants in the existing buildings. The new apartment buildings would have 30 occupants.

Alan Repinski, adjacent property owner to the east, expressed concern with the increase in occupancy from 11 to 30 occupants, the two doors on the east side of the building would be 15' from his bedroom window (he works nights), the approximate 28' height of the building so close to his home, parking, and snow removal. There is not enough room for what the developer wants to build.

Jeff May responded he has assigned parking at his other developments and it works well. He doesn't get complaints. We don't provide guest parking.

Ald. Sevenich stated she is against this project mainly because there are now 9 apartment buildings on that square block. We have minimal green space for these apartment buildings and students cut through neighboring properties. We don't need any more people living in this area and destroying the neighborhood that is left. With regard to assigning compact parking, tenants can change every year or every six months.

Jeff May stated he went to school here and is now a property owner and he can see the issues from both perspectives. This location is basically student housing. We develop quality housing. This is a real hub of the city close to the university and YMCA.

Mary Ann Laszewski, 1209 Wisconsin St., stated she has apartments as well and wonders whether it is realistic to have 30 tenants with no accommodations for guests. Someone will have to accommodate this parking and it will be an imposition on some other area.

Jeff May responded he provides parking for all of his tenants. In many cities, there is no guest parking right next to the complex and they have to walk several blocks.

Agnes Katzmark, 804 Division St., noted her property adjoins the parking lot he is planning to expand. We have a lot of people cutting through there and the snow is butted right up to their property.

Lois Meshak, 812 Division St., agrees about the parking problems, increased occupancy, sewer problems, and difficulty crossing Division St.

Jeff May responded he keeps the snow on his property and there will be a 10' area for the snow. They will be installing three storm sewers with this project which will help.

Ch. Wescott noted regardless of the action taken by the Plan Commission today, this item will go before the Common Council two weeks from today at 7:00 p.m. From a legal perspective, the area for the proposed multiple family development is zoned multiple family which allows for this development. If you are inclined to object or postpone action, you would need to enter into the record the reasons for that.

John Gardner noted there are three pages of conditional use standards in the ordinance which must be met. The way our ordinance is organized, it does not require lot area cover ratios. Some communities have standards that say you can't cover more than a certain percentage of the lot in hard surface. Our ordinance says you need a certain amount of lot area per unit which usually works if you don't have a lot of bedrooms. This development contains 4-5 bedrooms per unit, so you have more people in a smaller space.

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of the conditional use to construct two apartment buildings at 717 Vincent Ct. And 1600 Franklin St. with the following restrictions: 1) a 6' high fence be constructed along the entire east property lines of all properties owned by the owner, 2) no sidewalk along the east side of the property, 3) approval by City Engineering of a storm water management plan, and 4) approval would be void if construction on both buildings has not commenced by December 31, 2007. Ayes, Steffen, Zabel, Shannon, Feldman, and Ch. Wescott; Nays, Moore. Motion carried.

6. PERMISSION TO SELL 1949 STRONGS AVENUE (Former Fire Station)

Chairman Wescott stated this building is the oldest municipal structure left from the 19th century. Our goal is to sell the old fire station to the historical society, and in return for selling the building, the Portage County Historical Society agrees to take full control of the building and all maintenance would become the responsibility of the historical society. The intent is to open up the building as a city museum. He thanked Mary Ann Laszewski for her correspondence to his office raising this issue. He recommends the city attorney draft an agreement between the city and historical society to protect the building.

Ann Shannon moved, seconded by Fred Steffen, to authorize the city to negotiate the sale of 1949 Strongs Avenue to the Portage County Historical Society.
Ayes all; Nays none; Motion carried.

7. DOWNTOWN TAX INCREMENT DISTRICT

Chairman Wescott noted the district would encompass most of the downtown and also include a portion of West Clark Street. He can think of no greater economic development tool or incentive for those that are interested in downtown revitalization.

John Gardner noted at least 50% of the area has to be blighted. The rule is the increment from all other districts, plus this district, cannot exceed 12%.

Lois Feldman moved, seconded by Ch. Wescott, to recommend creation of the Downtown Tax Increment District.
Ayes all; Nays none; Motion carried.

8. EXTERIOR WOOD BURNING FURNACES

Chairman Wescott reviewed the attached memo and recommended that staff explore this further because there may be pollution issues.

Ald. Molski noted there would have to be big wood piles that would become pretty unsightly on small city lots.

Lois Feldman moved, seconded by Jeff Zabel, to direct staff to explore this issue further and return with recommendations. Ayes all; Nays none; Motion carried.

9. AMEND COMPREHENSIVE PLAN

10. AMEND SUBDIVISION ORDINANCE

John Gardner stated these amendments are considered editorial clarifications. He reviewed the maps and proposed changes which are underlined.

Ch. Wescott stated these amendments are not new, they are things that evolved from the discussions. All of our records and notes indicate we have the consensus to do that, but in reviewing the plan again, we discovered a couple of editorial omissions and we are simply putting them back in. These amendments clearly reflect the work that we have done.

#9 - Ch. Wescott moved, seconded by Fred Steffen, to recommend approval of the amendments to the Comprehensive Plan as proposed.
Ayes all; Nays none; Motion carried.

John Gardner noted after talking with commissioners, it is clear that some of them still have comments and he would have no problem postponing this to allow for that input.

Ann Shannon questioned whether it is customary when we have an ordinance like this for the city attorney to prepare an opinion on it.

John Gardner responded he has coordinated with the City Attorney on this, but he can certainly have the City Attorney look at it again.

#10 - Jerry Moore moved, seconded by Ch. Wescott, to postpone action on amending the Subdivision Ordinance today.
Ayes all; Nays none; Motion carried.

Meeting adjourned at 5:25 p.m.

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