

Meeting Minutes
City Plan Commission

Monday, April 3, 2006 PRESENT: Chm. Mayor Wescott; Karen Aldinger; Lois Feldman; Ann Shannon; Jerry Moore; Jeff Zabel; Fred Steffen
ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Attorney Louis J. Molepske; Police Chief Jeff Morris; Public Works Dir. Joe Euclide; Ald. Sevenich, Wiza, Trzebiatowski, Stroik, and Barber; Mayoral Intern Bobbi Blechschmidt; Jeff Schuler, Po. Co. Planning; Jeff Schulz, Po. Co. Planning; Norm Myers; Jeff May; Chris Northwood; Dave Engebretson; Jan Hermann; Wes Halverson; Jane Burroughs; Joe Graceffa; Mary Ann Laszewski; Neal Nealis; Marion Bud Flood; Travis Haines; Katja Marquart; Clarence & Marge Laszinski; Nancy Schultz; Will Stites; Agnes Katzmark; Carol Katzmark; Lois Meshak; Al Mertes; David Katzmark; Patrick Cassidy; Steven Laszinski; Alan Repinski; Nancy Euler; Tiffany Broecker; Claire Feigleson; Jessica Blanchard; Mildred Neville; Brian Formella; Damon & Lori Kozicki; Dorothy Karch; Bob Woehr; Norbert & Lucille Wojcik; Gerald Repinski; William & Judith Kluck; Kevin Knitt; Hailey Williamson; Jami Gebert; Reid Rocheleau; Gene Kemmeter, Po. Co. Gazette; Kelli Knudsen, Journal

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- (Agenda Items 4 - 10 were Postponed until April 10, 2006)
1. APPROVAL OF THE MINUTES OF THE MARCH 6, 2006 PLAN COMMISSION MEETING

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

2. TWO BUILDINGS/ONE LOT - BUSINESS PARK DRIVE - OAKWOOD OFFICE BUILDING

John Schultz, General Manager of Oakwood Ventures Dev., presented artist renditions and stated the 10 ½ acre parcel is located in the Portage County Business Park adjacent to the existing gazebo and water fountain. We propose an environment of blue stone office buildings. Building # 200 is a light retail building with ice cream/coffee/deli shop on the first floor to support the campus, but not to compete with McDonald's or the Golden Corral. Bldg. #100 is our office building with space for 12-15 offices.
When we purchased the property, it was divided into 4 parcels with the flag pole in the middle being the point of focus. By ordinance right now, we can only put one building on each of the four parcels. We are here today to ask permission for two buildings on one lot and follow through for our next venture as we develop this multi-million dollar concept.
They would like to have the light retail building ready by the first of September. The office building will take longer and we anticipate around Thanksgiving.

Reid Rocheleau questioned why they need two buildings on the lot instead of just one.

John Schultz responded it is due to the aesthetic design and also to set a precedent so that if we would like to put in a medical building such as an orthodontist, we don't want the dentistry smell in an office building.

John Gardner stated staff recommends approval. He noted the gazebo was part of a master plan that would share parking and have synergy between the buildings. This cluster concept will enhance the relationship of the buildings.

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of the request for two buildings on one lot on Business Park Drive as proposed for Oakwood Center. Ayes all; Nays none; Motion carried.

3. CONDITIONAL USE & TWO BUILDINGS ON ONE LOT- APARTMENT DEVELOPMENT - 717 VINCENT CT AND 1600 FRANKLIN ST.

Ch. Wescott referred commissioners to the staff report written on March 26 by the city planner. In March, the Plan Commission recommended approval of the project by a vote of 5-1. After discussion, the Common Council referred the item back to Plan Commission. Mr. May has submitted an alternate plan.

John Gardner provided aerial photographs from 1938 to 1970 showing the development and changes to the area and noted multiple family zoning has been in effect for this area since 1957. Currently, there are only 3 single family homes on the block with the remainder of the block being multiple family in use.
He showed the new site plan received today and stated the new proposal is for a single family house with 5 bedrooms on Franklin St. (replacing a two unit bldg.) and a 5-unit building (replacing a four unit bldg.) on Vincent Ct.. The total occupancy of 30 and the parking will not change. The changes came as a result of concerns by Mr. Repinski for privacy.

Jeff Zabel questioned if the fence is still part of the plan.

Jeff May, developer of the property, responded there are two east boundaries. He is proposing a screen fence along Mr. Repinski's property, and the trees along Mr. Katzmark's property have to be trimmed back before he can put up a screen fence along Mr. Katzmark's property. He stated he will pay to have the trees trimmed.

David Katzmark stated he is in agreement. If he is still living there in 4 years and the trees need to be trimmed, he wants Mr. May to pay for it.

Chm. Wescott noted that would be entered into the record.

Jerry Moore stated the request is to construct two buildings on one lot. Will this always stay one lot? Because of the two buildings and limited parking spaces, he is very uncomfortable with the fact that there could be a possibility of splitting this and having separate owners.

John Gardner stated we are treating this as one zoning lot. It would be very difficult to try to separate the lot in the future and meet the setbacks. The chances of this lot being split are remote and would require Plan Commission review.

Louis Molepske, City Attorney, stated if you wish as a condition of granting the request, you can place a provision that if the property owner wishes to proceed, he would not be allowed to split the lot in the future. The condition would then run with the land.

Jeff May stated he would have no objection to have that language incorporated into the project, having one lot that cannot be split.

Wes Halverson, 430 W. Mapleridge Dr., stated he is located on the west side downstream from Stora Enso. All of the drainage from the city goes into the Wisconsin River. We are in the flood zone and expressed concern with impact from impervious surfaces. The more pavement and housing that you put up, stormwater goes into the storm sewer and directly into the river. He would like to know about the storm water plan and whether it complies with Chapter 151 of DNR Admin. Code in compliance with the Federal Clean Water Act MS4 for small municipal storm systems. It appears there are 3 drains from the parking lot going into the storm sewer with no storm water management plan whatsoever. Will the landscaping be higher than the parking lot. If it is, that goes into the storm sewer without any treatment.

John Gardner responded Chapter 151 addresses storm water management. There are exemptions in the code for redevelopment in urbanized areas that do allow drainage into the storm sewer. Different standards apply for these redevelopment projects as opposed to new projects at the edge of town.

Joe Euclide, Public Works Dir., stated before any final plans are approved, we require that the developer hire a professional engineer to do an analysis. They have to certify that the city and state regulations are met. You cannot discharge more water after development than there was before.

Wes Halverson asked if they can see the plan once it is completed.

Chm. Wescott responded absolutely. Some of the conditional use standards involve review by public works and asked if Dir. Euclide feels those reviews have been accomplished by him or his subordinates.

Joe Euclide responded the reviews have been performed and we find the standards adequate.

Chm. Wescott introduced Police Chief Morris and asked that he respond to traffic issues in the area.

Chief Morris stated the addition of the 19 new residences near Franklin/Division will not adversely impact the situation. He noted the higher numbers of accidents occur at Division/Fourth and Division/Main Streets which is due to the heavier volume of traffic.

Joe Euclide agreed and noted that when the lights turn yellow and then red, there are more rear-end accidents. People not obeying the pedestrian signals is a factor. The new LED traffic lights seem to have helped. He doesn't feel the 19 additional residences will be noticed.

Ch. Wescott noted the Fire Chief was unable to be here but he had signed off on the adequacy to protect any fire in that area.

Jan Hermann, 1249 Washington Ave., questioned how many additional bedrooms and if they are allowed two people per bedroom. The number of people and vehicles will be doubled.

John Gardner responded the occupancy would be governed by the licensing. We would license this development for 30 occupants.

Mary Ann Laszewski, 1209 Wisconsin St., stated the City of Stevens Point Storm Water Guidelines mentions that an ordinance was adopted that requires that the amount of storm water run-off from a developed parcel not exceed the amount of run-off from that parcel prior to its development. The engineering department told her there are some new laws going into effect in April for impervious surfaces and filtration of solids and she doesn't know if Mr. May's proposal is going to be approved before the deadline.

Joe Euclide responded that is why we require that a professional engineer do a drainage analysis and certify that the submitted plan meets these requirements.

Chm. Wescott noted it is his understanding that the city already meets or exceeds the new standards that are going to be required of us later this year.

Joe Euclide noted as a municipality we will, but that doesn't alleviate individual property owners of their requirement.

Chris Northwood, 1316 Okray Dr., stated he manages the building at the corner of Vincent/Franklin and one of the most attractive features of leasing the property is that the units are in walking distance of the university and they don't need cars. We never have a full parking lot. The biggest problem is keeping the encroachers that don't live there out of the parking lot.

Katja Marquart, 1209 Wisconsin St., stated she works with students. Their issues seem to be cost of rent, proximity to campus, single occupancy units, and the aesthetic look of the buildings. If there were some units that were single renter units, they might be less disturbing for those living in the residential homes directly next to the development.

Bob Woehr, 727 Second St., expressed concern with property values, reduction of green space, drainage, snow storage, lighting cannot be visible from neighboring properties, and tree planting.

Travis Haines, 2196 Pinewood Dr., stated he manages the apartment building across the street and he has no issues with parking. The tenants park there and walk to campus. Any issues have been with guests who came over to visit and were not aware that the lots are permitted.

Nancy Schultz, 925 Smith St., stated she lives between the campus and downtown and sees a huge problem with this proposed development. It goes against the intent of the downzoning many years ago. This area is over-saturated with student housing, a lot of which is substandard. She has to deal with vandalism and trespassing from students going back to the campus from the square. She asks the commission to vote this down.

Kevin Knitt, 1410 College Ave., noted he is not opposed to development, but this is ridiculous. He objects to this development because of additional pavement and no green area. The owner is trying to cram as much in as he can.

Mildred Neville, 1409 Franklin St., expressed concern with where the dumpsters will go, and the fact that the two handicapped parking spaces are

only for handicapped persons and not to be used by anyone else which reduces the available parking from 30 to 28 spaces. The 10' setback for the parking lot is a very awkward design for trucks and the turning radius for the compact cars is very tight. Another issue is snow storage in a parking lot full of cars. There is concern that if something meets the standards, it just gets passed. In reviewing the ordinance, she has learned that if the conditions are met, you may approve a request. If the conditions are not met, you cannot approve a request.

Ald. Sevenich presented concerns regarding this project that she had not expressed before: "doesn't anyone care about us on the north side of Stevens Point", older single family homes are being sold for rentals, there is a lack of property maintenance, the developers don't live in our neighborhood, and the project is overkill for the block in question. The time to say no is now. Let's save this neighborhood

Reid Rocheleau, 408 Cedar West, expressed concern with new plans being brought in at the last minute, not being available to everyone, and then the entire issue gets transferred. The issue here is overpopulation. They have to meet all the standards. You can vote this down. You have that responsibility.

Ald. Wiza questioned the number of dumpsters, whether there will be a fence between the dumpster and parking space #22, and access to dumpster for contractor? We have heard from the developer that these vehicles rarely move which will make it a bit of an issue for the dumpster trucks and also snow removal vehicles. The development is too large for this footprint of land simply because of the logistics.

Jeff May responded there is one dumpster for garbage with compartments and several containers for recycling. The person parking in space #22 will be parking right next to the dumpster. The remainder of the dumpster area will be screened. The truck will have a straight shot to pick up the dumpster. We have the same set-up on Prentice St. with twice the tenants and it is not a problem.

Joe Graceffa, 724 Prentice St., stated Mr. May owns two properties north of his and Mr. May cut down seven 50' tall spruce trees on my north property line. He is concerned about what will be built on these two lots.

Agnes Katzmark, 804 Division St., stated their back yard is adjacent to the proposed apartment complex and noted there are at least 100 students trespassing daily through the yards and crossing mid-block between Franklin St. and Fourth Ave. Who is liable if they fall?

Lois Meshak, 812 Division St., stated we want to protect our neighborhood. Just because we are the north side, we still need to be protected and no one is listening. She also expressed concerns about the proposed development with regard to a negative impact on her property values, late night activities, noise, parking, snow removal, garbage, and green space. Only the developer is being heard.

Alan Repinski, 1608 Franklin St., stated he was not aware of the new plans and would like to look them over. He takes a lot of pride in his house and where he lives. He is concerned about multiple development spreading. If this goes through, a 6' high fence should go all around it and be done.

Steve Laszinski, 1100 Smith St., stated he is strongly against this project for the same reasons as everyone else. If you are even closely thinking of agreeing with this, all of the conditions need to be met before approval.

Hailey Williamson, 805 Prentice St., stated she moved here from Madison to go to school and is very sorry to hear the negative opinions of students. Maybe some of these problems could be solved by talking with a student organization.

Mary Ann Laszewski, stated in response to standard #2 regarding diminishing and impairing property values, Mr. Molepske stated we needed evidence for this. She provided letters from 1) Neal Nealis (realtor and former alderperson) indicating, in part, that further multiple family development in this location will have a negative effect on the single family property values in the neighborhood, 2) Diane Blomfeldt (realtor and appraiser) this area is built up as student housing which has already affected residential properties in a negative way. Adding additional rental properties in this neighborhood will amplify that effect, and 3) Robert Enright (Chairman of the UW - Sociology Dept.) who made suggestions to prevent further devaluation of the properties and the negative social impact on the neighborhood. She noted the number of residents licensed to live on this block is approximately 670-680 (Editors Note: Actual licenses issued for that block is 314.) Her concern is that the Plan Commission and City Council feel pressured to rubber stamp every request that comes along because they feel they have no control over the legal request of every developer. The proposal allows no room for the tenants to grill outside or to store bikes or lawn chairs. We have a new comprehensive plan and a good land use plan which gives us an opportunity for a fresh start to plan the Stevens Point of the future. If the city controls the planning, the area can be what we want to make it. She is asking that all the ordinance requirements be enforced.

Jan Hermann, 1249 Washington Ave., stated this winter, two of Mr. May's properties on Fourth Ave. as well as some on Franklin St. were not shoveled. There was snow and ice build-up and is concerned about the new development area. He would like to see this denied or put off for further review.

Dave Engebretson, 610 West 9th Ave., stated his hometown is Stevens Point, but he rehabs properties and is a landlord in the Fox Valley. It can be a real nightmare to try to rehab older properties. The proposal is attractive and an energy efficient building that will be a credit to the neighborhood and the community for many years to come.

Mildred Neville presented two petitions: 1) opposing the development and 2) requesting the proposed development be examined carefully. Your actions affect the entire city, not only one neighborhood.

Jeff May stated all of the current tenants of his newest apartment building and several neighbors in the area wrote letters endorsing this plan. He takes pride in his properties. The best use of this area is multiple family. The last apartment complex that was approved on Prentice St. has more density than this complex. This proposed complex has twice the parking compared to other developments. Many of our tenants have a car to go home on week-ends and otherwise it sits. The zoning has been in place since 1956-57. The Police Chief, Director of Public Works, and Community Development Director seem to indicate that there is nothing to inhibit this development from going forward.

John Gardner stated the city has no intention of rezoning other neighborhoods to increase student housing. Certain areas were downzoned in the 1970's-1980's to prevent the conversion of single family homes to student housing. When a house goes up for sale in the areas that were downzoned, we get calls wanting to rezone and the answer is always no. When the three adjacent single family homes go up for sale and the lots are more than 10,000 sq. ft., they will not be sold as single family homes. The value is in the zoning, not in the house. Multiple family development stops when the zoning stops. If the single family uses were to be separated from student housing, you would reduce conflicts. It has been our observation that some of these newer units have resulted in competition with existing rentals forcing them to improve their properties. The parking standards for this complex meet our standards. Your trying to save a neighborhood that has already converted. There are only three single family homes left on the block.

Ch. Wescott asked the City Attorney if the Plan Commission and Common Council use personal discretion when voting on this matter and vote against it even if ultimately the plan were judged to meet all of the Conditional Use Standards.

Louis J. Molepske, City Attorney, responded when we look at what a conditional use is, it is a case by case type of study using your particular criteria in order to establish whether or not the use can be granted. You have to make a finding based on what Mr. Curless, Mr. Richardson, and Mr. Risberg say versus what Mr. Nealis, and Ms. Blomfeldt, have indicated. You have to make that determination and that is where the so-called discretion comes into effect. Petitions are political desires or wishes on their behalf.

Jerry Moore noted just because Mr. May owns the apartment complex to the north of this lot, we still need to separate these two. The dumpsters have to be screened from that other property as if it were owned by someone else in the city. Why does it have to be this big of a complex that we need to try to cram all this parking in here?

Jeff May responded this is not like buying a vacant lot and putting up an apartment building. His buildings are going to cost more to build than most and you need to make the numbers work.

Karen Aldinger questioned how much landscaping there will be. Aesthetically it is important.

Jeff May responded the round circles on the site plan are trees. He is open to doing more landscaping and a privacy fence. He is proposing a vinyl coated fence with evergreen inserts.

Ann Shannon questioned the handicap parking. A public comment was made the handicap spaces are not included in the total parking so there is only 28 spaces instead of 30.

John Gardner responded handicap parking is required of larger apartments and commercial uses and only people with handicap stickers are allowed to park there. The 28 spaces are correct and we would hope that there is a little bit of surplus in the requirement, similar to guest parking. If one has a concern about the parking, the standard should probably be changed to not count the handicap spaces for any development.

Jeff Zabel stated as an individual, he understands all the neighbors concerns. As a Plan Commissioner, he understands there is a conflict that exists already. Maybe the best use of that property is multiple family. These properties were bought with the understanding that apartments could be built.

Fred Steffen felt a 6' barrier fence running from the garage behind the gas station all the way to Franklin Street has got to reduce students running through mid-block and the potential for traffic accidents in mid-block.

Lois Feldman questioned whether there will be a privacy fence or plantings around the parking lot.

John Gardner responded the requirement is either/or but it would be up to the motion.

Ch. Wescott reviewed each of the 14 standards individually for compliance.

Ann Shannon noted with regard to Item #5 - the information for the drainage analysis has not been completed yet.

Jerry Moore stated with regard to Item #11.i. - one dumpster doesn't seem sufficient for this number of apartments, are not screened from all appropriate properties, and there is no additional space to add another dumpster without reducing the size of the parking lot more. He is concerned about safe vehicle circulation and doesn't feel the lots are large enough.

John Gardner responded the compact stall is a minimum of 7 ½ wide and you cannot fit a full size car in a compact space. The large lot with spaces 1-22 meets the standards. The smaller lot meets the requirements for compact cars, but compact cars are usually not all in one lot.

Jerry Moore stated he is not comfortable having all of the compact spaces in one lot and adjusting everything else to make it work.

Fred Steffen noted we don't know how often the dumpsters would be emptied, and they could use roll-on dumpsters that could be rolled out to the street.

John Gardner stated Item #7 states the request is not contrary to the land use plan - there is work still being done on the land use plan and any motion should include conditioned on future action by the Plan Commission and Common Council. Item #10 - garbage containers - we could research the dumpsters situation further. We received the most recent proposal at noon today and have not had much of a chance to look at the views of the new building from Vincent Ct. and Franklin St. If you want to have staff look at that further, we would be willing to do that.

Fred Steffen questioned if he has to use the same motion that was used at the March meeting with an amendment to that motion for the things that we want to have done, or a totally new motion.

Chm. Wescott responded it should be a totally new motion.

Fred Steffen moved, seconded by Ann Shannon, to recommend approval of the conditional use request to construct one unit at 1600 Franklin St. and one 5-unit apartment building at 717 Vincent Ct. as shown on the attached plans on the basis that the 14 Conditional Use Standards have been reviewed and satisfied under the ordinance with the following conditions: a 6' privacy fence be installed the full length of the east property line of this development as well as the property owned by Mr. May at 709 Vincent Ct., staff review of the facades, dumpsters and screening issues, a lot split not be permitted with such condition to travel with the title, any necessary trimming of Mr. Katzmark trees shall be reimbursed by Jeff May. Ayes; Steffen, Aldinger, Zabel, Shannon, Feldman & Ch. Wescott; Nays, Moore; Motion carried.

Jerry Moore stated he opposed the motion because he doesn't feel item #11.i. relating to the minimum size requirements for safe vehicle circulation has been addressed satisfactorily.

Ch. Wescott stated this matter will not go to the Common Council until the month of May. We have been at this for three hours and he would like to entertain a motion to adjourn and take up the rest of these items at a second meeting.

Jerry Moore moved, seconded by Ann Shannon, to adjourn and take up the rest of the agenda items at a second meeting. Ayes all; Nays none; Motion carried.

Meeting adjourned at 7:10 p.m.

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