

Meeting Minutes

City Plan Commission

Tuesday, September 5, 2006

PRESENT: Acting Chairperson Jerry Moore; Karen Aldinger; Jeff Zabel; Fred Steffen;

(Excused, Ch. Wescott, Lois Feldman, and Ann Shannon)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Molski, Trzebiatowski, Barber, Sevenich, Stroik; Bill Yudchitz; Lloyd Ott; Mary Ann Laszewski; Mr. & Mrs. David Olsen; Shelley Binder; Ed Jurgella; Pat Kitowski; Charles & Ramona Simons; Melinda Miller; Frank Sciarone; Jackson Case; Harry Hoppa; Gene Kemmeter

Index of these Minutes:

1. Approval of the August 7, 2006 Plan Commission Minutes
 2. Rezoning - from "M 2" Heavy Industrial to "R-3" Two Family Zoning: 2001, 2017, 2025 Madison St.; 2309, 2325 East Ave.
 3. Schmeeckle Trails Development: Annexation of 19 Acres; Preliminary Subdivision Plat; Developer's Agreement; Conditional Use - Zero Lot Line Development; Zoning Classification - "C" Conservancy Zoning; "R-2" Single Family and R-3" Two Family; Acceptance of Land Dedication
 4. Annexation - 5311 Old Hwy. 18 - Hoppa Property; Zoning - "B-5" Highway Commercial & "R-1" Suburban Single Family
1. APPROVAL OF THE AUGUST 7, 2006 PLAN COMMISSION MINUTES

Jeff Zabel moved, seconded by Fred Steffen, to recommend approval of the minutes of the August 7, 2006 meeting. Ayes all; Nays None; Motion carried.

2. REZONING - FROM "M 2" HEAVY INDUSTRIAL TO "R-3" TWO FAMILY ZONING:

2001, 2017, 2025 MADISON ST.

2309, 2325 EAST AVE.

John Gardner reviewed his staff report and noted letters were sent to all the property owners. The City did rezone one property some time ago and we now have another owner interested in rezoning. To make them conforming uses, we recommend approval of the rezonings.

Fred Steffen moved, seconded by Karen Aldinger, to recommend approval of rezoning 2001, 2017, 2025 Madison St. and 2309 and 2325 East Ave. from "M 2" Heavy Industrial to "R-3" Two Family Zoning. Ayes all; Nays none; Motion carried.

3. SCHMEECKLE TRAILS DEVELOPMENT

ANNEXATION OF 19 ACRES

PRELIMINARY SUBDIVISION PLAT

DEVELOPER'S AGREEMENT

CONDITIONAL USE - ZERO LOT LINE DEVELOPMENT

ZONING CLASSIFICATION - "C" CONSERVANCY ZONING; "R-2" SINGLE FAMILY AND R-3" TWO FAMILY

ACCEPTANCE OF LAND DEDICATION

John Gardner noted the annexation involves two properties: one property owned by the Drs. Sciarone and Milano and others who have signed the petition, and one property (78' strip) owned by Mr. Ceplina who has not signed the petition. The majority of land proposed to be annexed is owned by the petitioners.

The zero lot line homes have been relocated westerly, will be detached, and not have common walls. The owners have discussed a median down the center of the roadway and our concern would be the maintenance of that median. The city and the developer have not concluded an agreement on the area facing on Stanley St. We need to work out the details of the sizes of the lots and whether or not there would be a public or a private cul-de-sac. The drainage plan is still being developed. Staff recommends approval of the annexation, the preliminary plat, the principle's of the developer's agreement, the conditional use, zoning classifications as described in the staff report, and land dedications. Staff is recommending Conservancy zoning for Mr. Ceplina's property as a holding pattern because it is defined as an outlot in the recorded survey and has no access to a public street.

Jeff Zabel questioned why the Ceplina land is included in this annexation. Should the maintenance of the median be included in the conditional use.

John Gardner responded the petitioners created the annexation boundary. He felt the maintenance of the median should be included. The city should not be adding conditions after preliminary plat approval.

Bill Yudchitz, developer, stated they will be maintaining a 10' strip on each side of the forest view lots so there would be a 20' buffer of trees that would not be cut. We will have a wetland determination in writing within 30 days, and are still working out drainage details.

Fred Steffen questioned if the Ceplina land is being annexed willingly.

John Gardner responded Mr. Ceplina was initially not interested in annexing his property, but he has been having some conversations with the developer.

Jeff Zabel moved, seconded by Karen Aldinger, to recommend approval of 1) the annexation of 19 acres, 2) preliminary subdivision plat with the condition private maintenance of the median by adjacent lot owners as well as the conditions attached in the developer's agreement, 3) acceptance of the developers agreement principals, 4) a finding that the zero lot line lots meets the conditional use standards (attached) and approval of the conditional use for zero lot line development as shown on the plat, 5) "C" Conservancy Zoning for the Ceplina property and the land to be dedicated to the city, "R-2" Single Family Zoning for the single family lots, "R-3" Two Family Zoning for the zero lot line lots, and 6) acceptance of land dedication. Ayes all; Nays none; Motion carried.

4. ANNEXATION - 5311 OLD HWY. 18 - HOPPA PROPERTY; ZONING - "B-5" HIGHWAY COMMERCIAL & "R-1" SUBURBAN SINGLE FAMILY

John Gardner stated the property owner is in need of basic utilities which are already in the roadway and staff recommends approval of the annexation. The land is currently zoned for single family use and staff recommends splitting the zoning of the parcel. The northerly portion of the property adjoins the lot to the north, which is anticipated to be commercial, and the commercial properties to the east, and staff would recommend Highway commercial zoning. The southerly portion of the property does not have utilities, is across the street from residential uses, and staff recommends "R-1" Suburban Single Family Zoning.

Karen Aldinger questioned if the property is rezoned to commercial, would there be any insurance issues with the house being nonconforming.

John Gardner there is an issue with nonconformity. Some day the residence will probably be converted to a commercial use.

Mona Simons, 5322 Old Hwy. 18, expressed concern with the commercial uses and additional traffic. There are small children in the subdivision and the commercial zoning will increase the traffic on this road

John Gardner noted commercial zoning allows for a full range of commercial uses much like what you see along Hwy. 10 E. now. It's up to the owner as to what they want to do long term.

Pat Kitowski, 5330 Old. Hwy. 18, stated she is against this request. There is enough traffic. She agreed that they don't need anymore commercial properties.

Shelley Binder, 1503 Nick's Rd., stated she is against this request. This property is a buffer. Little by little, you are taking away the Town of Hull.

Ald. Stroik questioned whether this request is consistent with the adopted Comprehensive Plan. Perhaps the property should stay a residential zone.

John Gardner responded that he would need to research that question.

Ald. Stroik noted in the Comprehensive Plan, was this land addressed at all? We want to welcome them into the city but because it is "R-1" to the north of it and "R-1" to the south of it, an isolated island wouldn't make sense. He would like to see it "R-1" at least until the property to the north annexes as well. You should reconsider it.

Ed Jurgella - 1508 Nick's Rd. - will the sewer extend to the curve? Will they extend sidewalk and streetlights. Would he have a street light in his backyard?

John Gardner noted we will extend utilities when asked by the property owner. He showed on the map where Mr. Jurgella's property is. We typically don't install street lights unless they are warranted. There are no sidewalks on either side of Maple Bluff to the north.

Ald. Trzebiatowski asked Mr. Hoppa if he had intentions of building on the vacant lot? Mr. Hoppa responded he did not.

Ald. Trzebiatowski questioned with regard to the Comprehensive Plan - would the highway be extended on the north side of the railroad tracks. There could be a long term potential that old highway 18 would have more traffic if that

Ald. Sevenich noted there was a business along Hwy. 10 E that wanted to expand toward Nick's Rd. And was denied because it would encroach into the neighborhood. The city is not trying to take over the Town of Hull, its just when they have problems, they ask to come into the city. The owner needs services now. We are trying to help people that have problems. Having the line between "R-1" and "B-5" and no further protects the residents down Old Hwy. 18.

John Gardner responded the zoning issue will not be on the agenda until the 3rd Monday in October.

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of 1) the annexation, and 2) "B-5" Highway Commercial for the northern portion and "R-1" Suburban Single Family Zoning for the southern portion of 5311 Old Highway 18 (see map for zoning depiction). Ayes all; Nays none; Motion carried.

Meeting adjourned at 4:50 p.m.

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