

Meeting Minutes

City Plan Commission

Monday, November 6, 2006

PRESENT: Chairman Mayor Wescott; Karen Aldinger; Lois Feldman; Ann Shannon; Jerry Moore; Jeff Zabel; and Fred Steffen

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Sevenich, Hanson, Trzebiatowski, Molski, Stroik, & Barber; Gerald Courtney; Robert Welling; Dick Rogers; Randy Nissen; Dan Rusch; Scott Plaski; William Christensen; Jacob Seding; Tim Schertz; Jami Gebert, Downtown Mgr.; John Raffik; Pete Ananiadis; Elizabeth Altenburg; Gene Kemmeter, Po. Co. Gazette

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1. Approval of the October 2, 2006 Plan Commission Minutes

Jerry Moore moved, seconded by Lois Feldman, to recommend approval of the October 2, 2006 minutes. Ayes all; Nays none; Motion carried.

2. Request to Construct an Oversized Garage in Low Density Zoning - 2148 West River Dr.

Ch. Wescott noted the memo, the property is somewhat unique in that it is the only home in the area, and staff recommends approval.

Gerald Courtney, adjacent property owner to the north, questioned whether this garage will have living quarters now or later. He is concerned about the north boundary line. He has not seen a quit claim document and there are no posts. He wonders if there has been a recent survey. He wants to make sure the garage is in the right spot.

John Gardner responded the applicant is not here today but has indicated the garage would be just for storage.

Ch. Wescott stated as part of any motion made today, concerns can be included regarding ownership of the land and the question of living quarters in the proposed garage.

Fred Steffen questioned whether there is a CSM.

John Gardner responded the property changed hands within the last year or two and he will talk with the owner and check on any recordings before the Common Council meeting.

Jeff Zabel noted he would like to see something documented that explains what is unique for this property.

John Gardner responded that his memo indicates this property is unique because it is so isolated, the house is setback greater than 450 feet from the road, and the other outbuilding is 480 feet from the road.

Chairman Wescott moved, seconded by Fred Steffen, to recommend approval of the request to construct a 40' x 30' garage, in addition to the existing 300 sq. ft. outbuilding, at 2148 West River Drive as shown on the attached drawing contingent on the determination of ownership of the land, there will be no living quarters in the proposed garage, and the garage to be constructed by December 31, 2007. Ayes all; Nays none; Motion carried.

3. **Conditional Use Amend Elderly Housing Site Plan - 3349 Whiting Ave.**

Chm. Wescott reviewed the staff memo and noted the wetlands have been re-mapped so the site plan change was necessitated. Staff recommends approval with the original conditions plus the screening of the driveway along the north property line.

John Gardner noted the builder and the neighbor have agreed to screening with evergreens on the north property line.

Fred Steffen moved, seconded by Karen Aldinger, to recommend approval of the conditional use request to amend the elderly housing site plan at 3349 Whiting Ave. by relocating the driveway near the north property line with evergreen screening right on the north property line, and to also include the original seven conditions. Ayes all; Nays none; Motion carried.

4. Schmeekle Trails - Street Names

Chm. Wescott noted police and fire departments have signed off on the street names. Vine Street is an extension of the existing Vine Street.

Lois Feldman questioned why it is Moses and not Mosey's. She prefers Mosey's.

John Gardner responded Schmeekle Reserve has it as Moses, but he will double check the spelling with the Historic Society.

Chairman Wescott moved, seconded by Fred Steffen, to recommend approval of the street names as proposed on the attached map, contingent upon researching the Moses name spelling. Ayes all; Nays none; Motion carried.

5. Sign Request - Pacelli Football Field

Chm. Wescott reviewed the staff memo which recommends approval of the score board and identification sign as requested.

John Gardner responded the uniqueness of the site is due to the large size of the property and the remoteness of the sign from the public right-of-way. The sign and the football field are not lighted.

Ann Shannon moved, seconded by Ch. Wescott, to recommend approval of the sign variance request as proposed for the west end of the Pacelli football field.

Ayes all; Nays none; Motion carried.

6. Conditional Use Cellular Tower - 3701 Patch St.

Chm. Wescott noted the staff report and called attention to the last paragraph where staff recommends against the proposal because there is no flag on the pole.

Dick Rogers, representing Sprint/Alamosa, stated they will place a flag on the tower. He provided a drawing showing the flag on the cell tower. With regard to the setback issue, a cell tower is designed to collapse in the middle and he will provide the engineering report prior to the issuance of a building permit. The American flag has to be lighted.

Robert Welling, property owner at 3701 Patch St., stated he is in favor of the cell tower and provided a letter of support from adjoining property owners.

Fred Steffen stated he does not want a flag that is not taken care of.

Chm. Wescott stated the owner of the tower is responsible for maintenance.

Chm. Wescott moved, seconded by Lois Feldman, to recommend approval of the request for a cellular tower at 3701 Patch St. as shown on the drawings distributed at the meeting, with the restriction that the flag be an American flag and be maintained by the tower owner.

Ayes all; Nays none; Motion carried.

7. Amend Fence Ordinance in Chapter 23 Zoning Ordinance and Chapter 21 Maintenance and Occupancy Ordinance (See Attachments in October Minutes)

John Gardner presented a slide from the existing Zoning Ordinance showing the current heights allowed for fences adjacent to the street (3'), side yard (6'), and rear yard (10' max.), as well as on street corners (2' - 20' from the lot corner). These restrictions apply to fences that are more than 50% solid. Current law allows an owner to build a 6' high fence across the face of the property 10' back from the front property line.

Staff has discussed the matter in response to a citizen who requested permission to construct a fence at the sidewalk on a corner lot on a busy street. Staff has also had requests for fences on lots that have their rear yard fronting on a busy street such as those along Hoover Rd. and Brilowski Rd. To respond to these requests staff is presenting changes to the ordinance to apply to fences. The Commission may apply these changes to all lots or to only corner lots and through-lots. These changes could apply to all fences including those less than 50% solid. Chain link fences do cause sight problems at the property line. The suggestions are:

- On corner lots - allow a fence at the side yard property line up to 6 ft (current only 3')
- On all lots - allow fences in the front yard to increase from 3 ft to 4 ft
- On all lots - reduce the height of fences allowed in the front yard from 6 ft more than 10 ft from the front property line to 4 ft in the entire front yard.
- In all cases clear vision triangles must be observed on corner lots and where driveways intersect the street.
- Staff also would suggest a discussion on the merits of reducing back yard height limits from 10 ft to 8 ft.
- Staff would also suggest a discussion on requiring all fences to obtain permits. Currently the city does not require a permit for fence construction.

Chm. Wescott noted the reason this request is here is because you have a request to replace a 6' fence at or near the property line. How long has the fence been there. Elizabeth Altenburg, 1701 Clark St., responded approximately 40 years.

Jeff Zabel feels the photo of the 6' high fence that is 10 ft. back from the property line is not aesthetically very pleasing.

Ann Shannon noted she knows of many dogs that can jump over a 4' high fence so perhaps the limit is too low in the front yard.

John Gardner responded currently the allowable height is 3' and we have received complaints that pre-made fences are not sold in 3' high sections, they are sold in 4', 6', and 8' heights.

Lois Feldman noted with regard to the distance from a sidewalk to the fence, she walked by a fence that was one foot away from the sidewalk and if you are meeting other people or someone on a bicycle, there is not enough room to pass. Shrubbery can also make a sidewalk very narrow.

Reid Rocheleau, 418 Cedar St., felt the slide showing a 6' fence that was 10' back from the front property line looked like Fort Apache. The proposal is less restrictive. He commiserates with people that have corner lots, but he doesn't think their right to have privacy should trump everyone else's rights to have an aesthetically-pleasing city. If these people that have problems let them come to the Plan Commission every time so that you can look and see if it is a pleasing looking fence.

Ald. Hanson stated the biggest problem with the Altenburg property is high traffic on Hwy. 10 and Business 51. You cannot sit out in your yard and have a conversation. In the summer with Belt's open, there are a lot of people walking down the sidewalk and without a solid fence you have no privacy. The other corner like this is the corner of Main and Division. Semi trucks are a real problem. There should be an exception made at least for this piece of property. He is supportive of what he has seen today.

Jeff Zabel moved, seconded by Fred Steffen, to not change the current fence ordinance to allow fences on corner lots and the ordinance be changed to prohibit 6' fences in the front yard.

Fred Steffen suggested fences be allowed in high traffic areas identified by traffic counts.

John Gardner reviewed traffic counts for major intersections in the city. Perhaps an alternative would be to name streets that would allow corner fences.

The following thoughts and concerns were made:

- no more 6' high fences set back 10' across the front yard - not aesthetically pleasing

- fences (also shrubbery/hedges) within 1' of sidewalks do not allow enough room for walkers meeting other people or bicyclists, or leave space for clearing snow
- dogs can jump over 4' high fences
- leave the ordinance as it is and require variances for corner lots
- require permits for fences to allow review
- deal with each fence on a case-by-case basis with aesthetic control
- should fence height changes apply to everyone or just corner lots
- some open fences appear solid at a corner intersection

Reid Rocheleau noted several commissioners have had some good ideas and Mayor Wescott had a good idea about leaving the ordinance like it is. Perhaps you should send it back and think about it some more.

Chm. Wescott noted he is sensing some uncertainty and a lack of clarity. We don't get many fence requests. We could probably leave the ordinance as it is and create language that would require commission review of the uniqueness of a request and make a decision. He feels we need more time on this.

Fred Steffen moved, seconded by Lois Feldman, to postpone this item.
Ayes all; Nays none; Motion carried.

8. Extraterritorial Plat Review - Hwy. 66 North and East of Meadow View Lane

Chm. Wescott reviewed the staff report. Staff recommends approval but suggests consideration be given to connecting the two cul-de-sacs.

Chm. Wescott moved, seconded by Jerry Moore, to recommend approval of the extraterritorial plat along Hwy. 66 North and East of Meadow View Lane as presented with the suggestion that the County and Township consider connecting the two cul-de-sacs.
Ayes all; Nays none; Motion carried.

9. Accept Right of Way and Utility Easement CTH. HH & Brilowski Road Area

Chm. Wescott stated staff recommends approval and includes a series of policy recommendations

Ann Shannon noted on our long range plan discussions with the Town of Stockton the issue of widening CTH. HH to four lanes was discussed. Do we know what the time frame is.

John Gardner responded many of the Town of Stockton Plan Commission members felt that accommodations should be made for four lanes. There is traffic projection work being done with DOT and hopefully that information will be brought to you by the end of the year.

Fred Steffen moved, seconded by Lois Feldman, to accept the right of way and utility easement at Cty. HH & Brilowski Road as shown on the attached survey with the following recommendations: 1) not allowing driveway access to CTH. HH; 2) study the development setback and development standards along CTH. HH with a purpose of providing for safety and for a sense of entrance to the community; 3) requiring adequate land be maintained in an undeveloped state to allow for a future road widening of CTH. HH but the land not be acquired at this time; 4) assessing future costs of road widening including acquisition and construction to the benefiting properties in an area-wide assessment rather than only against abutting properties. Property owners should be made aware of this policy. 5) the need for specific intersection improvements such as adding left-turn lanes, deceleration lanes, or traffic signals should be assessed at the time of development proposals. Costs of intersection improvements should be proportionally assessed to those who created the need for the intersection improvements. Traffic impact assessments may be required to determine the need and design; and 6) the City of Stevens Point and Village of Plover coordinate the intersection locations, improvements, and assessments for the improvements. Ayes all; Nays none; Motion carried.

10. Request for Off-Site Parking - 1016-24 Main St.

Chm. Wescott noted the owner, Mr. Schertz, has remodeled a number of apartments downtown making a significant commitment to our downtown. Staff recommends approval.

Jerry Moore moved, seconded by Fred Steffen, to recommend approval of the request for off-site parking for 1016-24 Main Street.
Ayes all; Nays none; Motion carried.

Meeting adjourned at 5:15 p.m.

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