

Meeting Minutes

City Plan Commission

Monday, September 12, 2005 - 4:00 p.m. PRESENT: Chairman Mayor Wescott; Jerry Moore; Ann Shannon; Lois Feldman; Karen Aldinger; Jeff Zabel; Fred Steffen

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Molski, Trzebiatowski, Wiza, Barber, Stroik; Bob Woehr; Jeff Filtz; Gene Kemmeter, Po. Co. Gazette

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 5. Request of Habitat for Humanity to Change Setbacks in Two Family Zoning District
 6. Rename Pintail Drive
1. APPROVAL OF THE MINUTES OF THE AUGUST 1, 2005 PLAN COMMISSION MEETING

Lois Feldman moved, seconded by Ann Shannon, to recommend approval of the minutes of the August 1, 2005 meeting. Ayes all; Nays none; Motion carried.

2. MORE THAN ONE BUILDING ON A LOT AT KREMBS AVE./HEFFRON CT.

John Gardner stated the proposal is for two buildings on one lot with a possible third building in the future. He reviewed the issue of masonry on the facade facing the street. The owner proposes masonry on the front with no masonry on the west side facing Krembs Ave. because it is the back of the building, and proposes screening instead. The restrictive covenants call for masonry for the entire building facade facing the street. The owner further proposes two driveways on Krembs. He noted he can recommend approval of the proposal with the following conditions: masonry on the front of the buildings facing Heffron Ct. and 8 ft around the corners facing Krembs with significant evergreen screening along Krembs Ave.; no storage in the setbacks; screening of parking lot and storage areas, and only one driveway facing Krembs.

Jeff Zabel noted restrictive covenants are made for a reason and it is his understanding that restrictive covenants are done prior to the property being developed. How can we even consider going against the restrictive covenants. In addition, the deed of the property restricts and prohibits outdoor storage. He struggles with why we even have restrictive covenants. He would like to see building elevations.

John Gardner responded normally restrictive covenants are not enforced by the city. This situation is unusual because the city sold the land and had created the restrictive covenants. The restrictive covenants were created because the buildings existing at the time were combinations of decorative concrete block and brick/wood. As other buildings were built, they were metal buildings with a portion of the facade masonry. The restrictive covenants have not realized the vision of the original two owners. Layers of restrictive covenants were created over the years. This area along Heffron Ct. have different covenants than the rest of the industrial park. The commission can place conditions on this request.

John Gardner noted the restrictive covenants, with the exception of the exterior storage, have been enforced. The majority of the buildings have at least some masonry on the front. The builder has asked for permission to not cover the west wall of the building with masonry because of the cost. The commission may choose to say that the builder knew the restrictions when he bought the property and the building should be masonry.

Jeff Filtz, developer, distributed pictures of surrounding buildings that do not have complete masonry coverage. Semi's are constantly being loaded and unloaded and they need a place to park them. This is an industrial park, not a county park. He would like to have outdoor storage and he would be more than happy to screen it. He needs the second driveway on Krembs because of the heavy equipment and would like a 32' driveway to accommodate the trucks.

Ch. Wescott noted the issue with the restrictive covenants appears to be something that evolved over a period of time since the business park was developed in the early 1970's. Staff is recommending that we can live with storage if it has appropriate evergreen screening of at least 3' tall, the street fronts of the buildings be masonry with 8' of masonry around the corners; and one driveway.

Ch. Wescott noted we have identified all the elements, but the engineering and planning staff has work to do with the developer. We would like to see elevations and pictures.

Chairman Wescott moved, seconded by Lois Feldman, to postpone this item until the October meeting. Ayes all; Nays none; Motion carried.

3. STATE-REQUIRED AMENDMENTS TO FLOODPLAIN ORDINANCE

Ch. Wescott noted the DNR is requiring cities and villages to update their floodplain ordinances to match the FEMA model and adopt new floodplain language and staff recommends we comply with the requirement.

Chairman Wescott moved, seconded by Jeff Zabel, to recommend the city comply with the state-required update to the Floodplain Ordinance. Ayes all; Nays none; Motion carried.

4. EXTRATERRITORIAL LAND USE ELEMENT

John Gardner noted previous maps have not covered the areas north of the city for future expansion and he is recommending filling in and squaring off some areas that should be included from Second St. to the Wisconsin River, along Dubay Ave., and Indiana at Stanley St. (See map).

Jerry Moore moved, seconded by Fred Steffen, to recommend acceptance of the additions to the extraterritorial land use element as proposed. Ayes all; Nays none; Motion carried.

5. REQUEST OF HABITAT FOR HUMANITY TO CHANGE SETBACKS IN TWO FAMILY ZONING DISTRICT

John Gardner presented slides of the current site for the latest Habitat house and compared the setbacks of the adjacent houses. The standard setback requirement is 25'. He showed a slide of his neighborhood and noted a great number of the houses do not meet the 25' setback and never will. He suggested the question is should we allow more construction in these already dense areas that will make them more dense but allow the people to stay in the houses and upgrade them instead of moving. Based on feedback from the previous meeting, staff recommends developing new setbacks as a conditional use with the design guidelines distributed at the meeting (see attachment).

Ann Shannon expressed concern with keeping enough open space for kids to play. By reducing the front yards, your pushing them out into the streets to play.

John Gardner noted currently in some areas there is very little space for kids to play and they have to rely on school playgrounds, parks, parking lots, or church yards.

Chm. Wescott noted instead of trying to develop a "one size fits all" mold, the key to Alternative #2 is that it allows neighborhood input and review by the Plan Commission and Common Council based on this criteria. It makes a lot of sense.

Bob Woehr, representing Habitat for Humanity, noted he doesn't feel averaging with the adjacent properties would work and endorses John's proposal.

Jerry Moore moved, seconded by Ann Shannon, to recommend approval of Alternate #2 which would allow smaller setbacks in Two Family Zoning only as a conditional use and incorporate the new design standards language distributed by staff (see attached).
Ayes all; Nays none; Motion carried.

6. RENAME PINTAIL DRIVE

John Gardner noted he received a call from one of the neighbors on Pintail requesting the name be changed to Songbird Lane. He doesn't have a problem renaming the street.

Chairman Wescott moved, seconded by Karen Aldinger, to recommend approval of the name change to Songbird Lane. Ayes all; Nays none; Motion carried.

Meeting adjourned at 5:00 p.m.

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