

Meeting Minutes

CITY PLAN COMMISSION

Monday, July 1, 2002 - 4:00 P.M. PRESENT: Chairman Mayor Wescott; Lois Feldman; Jeff Zabel; Fred Steffen; Karen Aldinger;

(Excused, Elbert Rackow and Bud Flood)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Clerk Victoria Zdroik; Po. Co. Senior Planner Jeff Schuler; Alderpersons Sevenich, Filipiak, Seiser, Sowieja, Molski, Nealis, Phillips, & Moore; Ken Chase; Dave & Jacquie Morton; Mark Tummett; Tom Schultz; Deb & Mike Pionek; Tim Semman; David Schuler, School Superintendent; Sharon LaBlanc; Reid Rocheleau; Harold Jones; Bob Schroeder; Alan Hetzel; Scott Gralla; Rick Rettler; Jeff Bahling; Mike O'Meara; June Lecher; Barb Martin, Stevens Point Journal; Gene Kemmeter, Po. Co. Gazette; Matt Mattano, WIZD.

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1. APPROVAL OF THE JUNE 3, 2002 PLAN COMMISSION MINUTES

2. REZONING - NORTH SIDE OF PATCH ST. BETWEEN CHURCH ST./MICHIGAN AVE. FROM AM-2" HEAVY INDUSTRIAL TO AB-1" NEIGHBORHOOD BUSINESS ZONING

3. CONDITIONAL USE - BOYS & GIRLS CLUB - 1007 ELLIS ST.

4. A. CONDITIONAL USE - ABBY ROAD APTS. - 640 SECOND ST. N.

B. ACQUIRE DRAINAGE EASEMENT - 700 SECOND ST. N.

5. CONDITIONAL USE - SPASH PARKING LOT

1. REZONING - NORTH SIDE OF PATCH ST. BETWEEN CHURCH ST./MICHIGAN AVE. FROM AM-2" HEAVY INDUSTRIAL TO AB-1" NEIGHBORHOOD BUSINESS ZONING

Lois Feldman moved, seconded by Fred Steffen, to recommend approval of the minutes of the June 3, 2002 meeting. Ayes all; Nays none; Motion carried.

2. CONDITIONAL USE - EXPAND SPASH PARKING LOT - NORTH POINT DR

John Gardner reviewed the history on this item from last month. The request has been initiated by a number of property owners on the block. The majority of the properties proposed for rezoning are residential in nature with the exception of Point Trophy and the antique shop. Eleven property owners on the block are in favor of the rezoning with three property owners against the rezoning. The owner of 2116 Patch St., the property we rezoned several months ago from industrial to residential because of financing problems, would like to keep their residential zoning. AB-1" zoning is a compromise and offers the most flexibility for the property owners.

Ald. Sowieja stated he has talked with property owners and they feel as follows: the owner of 2140-42 prefers AR-5" zoning but would go along with AB-1" zoning; the owner of 2164 wants a body shop, but felt AB-1" was acceptable; the owner of 2240 would like to remain industrial; and he was unable to contact the owner of 2148. He supports the rezoning proposal for all of the other properties with the exception of 2240 Patch Street.

June Lecher, 2148 Patch St., questioned what the big push is for this rezoning.

John Gardner responded there have been two separate requests from property owners along Patch St. The concerns have been 1) nonconforming status makes financing difficult or impossible and rebuilding impossible, and 2) the wide range of uses incompatible with the existing homes that are permitted under the industrial zoning and would be adjacent to residential properties.

June Lecher noted the railroad is behind her which is noisy and the cemetery is across from her which is quiet. If a machine shop or body shop go into one of the properties, who will they bother. If we are downzoned, will Duranso Transfer and Fred's Towing be able to be in the same block and be heavy industry.

Jacquie Morton, 2116 Patch St., stated the reason she had requested rezoning was because they had put a lot of money into their house and found out that if it burned, they could not rebuild.

Deb Pionek, 2208 Patch St., stated they also have had difficulty with financing because of the industrial zoning. We have put a lot of money into our house also and if it burned down under the current zoning, we would not be able to rebuild.

John Gardner responded that Duranso Transfer and Fred's Towing are not proposed to be rezoned.. He does not propose to rezone the railroad, Point Concrete, and Duranso or Fred's Towing (which are on railroad property).

Ald. Sowieja stated his reasons for supporting AB-1" zoning is not to tell the Plan Commission to spot zone. He is trying to make this equitable for everyone on Patch Street.

Jeff Zabel questioned if the AB-1" zoning allows the residents to rebuild.

John Gardner responded it makes them a conditional use and would require permission from Plan Commission and Common Council. He will check into whether the AB-1" zoning will effect the financing issue.

Jeff Zabel moved, seconded by Karen Aldinger, to recommend approval of the request to rezone the north side of Patch Street, between Church St. and Michigan Ave., from AM-1" Light Industrial Zoning to AB-1" Neighborhood Business Zoning, as shown on the attached map, with the exception of 2240 Patch Street.

Ayes all; Nays none; Motion carried.

3. CONDITIONAL USE - BOYS & GIRLS CLUB - 1007 ELLIS ST.

John Gardner stated he did not attach a memo because the petitioner did an exceptional job explaining what they want to do. Because of the age of the children using the facilities, we do not expect a lot of automobiles. The existing loading zones could be converted to a drop off area if necessary, and bicycle racks will be included on the neighboring Noel property. The Police Department has reviewed the request and has no objection.

Fred Steffen moved, seconded by Chairman Wescott, to recommend approval of the conditional use for a boys and girls club at 1007 Ellis Street. Ayes all; Nays none; Motion carried.

4. A. CONDITIONAL USE - ABBY ROAD APTS. - 640 SECOND ST. N.

B. ACQUIRE DRAINAGE EASEMENT - 700 SECOND ST. N.

John Gardner stated this item was pulled from last month's agenda because of drainage issues. There is a drainage easement granted to the city by the previous owner across the middle of the site. There is a ditch across the north part of the site. We had a 66' easement to maintain that ditch. There is a building in the way of that easement now. We need to modify the easement and still retain enough room to maintain the ditch. He

distributed a map showing a 25' easement in place of the larger easement. The proposed easement is acceptable to the Engineering Dept. and the property owner to the north. The property owner to the north has indicated he is willing to dedicate the northerly 15' of the easement to maintain that ditch. The City will require written approval of the easement before permits can be issued.

The proposal is to construct three buildings on one lot. All of these buildings would be built on filled land. There is an area that is marked wetlands by the Army Corps of Engineers and no fill is allowed there. The ditch currently on the site drains to the wetlands. The proposed culvert connects the ditch to the wetlands. There are proposed settling ponds to the east and west of building #2 where the owner proposes to drain the water from the building and the parking lot first, and then there would be a rip rap overflow that would take anything over 2 inches to the wetland area. The proposal includes a retaining wall between building #2 and the wetlands. We want assurance from an engineer that the retaining wall will sustain the loads. There is sufficient parking for buildings #1 and #2 and the turning radius seems adequate. Staff recommends approval of buildings #1 and #2 with the conditions in the staff memo.

It appears that you cannot exit the garages from building #3 without backing the full length of the driveway. There is an existing ditch that drains across building #3 site that has not been accommodated. The proposed building drainage does not work at this time. Staff does not recommend approval of building #3 until these issues are resolved.

He recommends two additional conditions in addition to those contained in the staff report: 1) successfully re-negotiate the 66' easement to a 25' easement as shown on the attached map, and 2) no construction take place north of buildings #1 and #2 including the road to proposed building #3 until access and drainage for building #3 is approved.

Jeff Schuler questioned what are the proposed exterior materials.

Harold Jones responded they are proposing vinyl siding, possibly 20% brick, with aluminum soffit and fascia

Ald. Seiser noted the wetlands are important and need to be protected. She expressed concern with the amount of multiple family in this area, and felt the residents of these buildings should have some type of greenery and screening around the parking lot.

John Gardner responded the engineers' purpose for the easement was not to protect the wetland, but to drain the water away from the road and accommodate the water from east to west as quickly as possible. The land is zoned commercial. Density is high in this district and very little natural area will be left. The parking areas are behind the buildings and really not visible from the street.

Lois Feldman moved, seconded by Jeff Zabel, to recommend approval of constructing buildings #1 and #2 only with the following conditions: 1) approval of drainage plan with special attention to assure that the drainage from the north-facing roof of building #2 is directed to the retention pond to the west and that the parking area drainage is directed to the retaining ponds; 2) no more than a 3 horizontal to 1 vertical slope at all property lines. Spot elevations will have to be provided prior to permitting; 3) verification is needed that the proposed retaining walls can be constructed as close to the wetland areas as shown and that they can be engineered to sustain the loads proposed in the soils on the site; 4) DNR Construction Site Best Management Practices be followed including the use of filter fabric and other techniques to prevent and contain erosion; 5) owners re-record the condominium plat to eliminate the existing lot lines that do not relate to the proposed development. 6) the existing 66' easement be successfully re-negotiated to a 25' easement as shown on the attached map; 7) no construction north of building #2 until access and drainage for building #3 is approved; and 8) City and owners work together to screen the parking lots. Ayes all; Nays none; Motion carried.

Jeff Zabel moved, seconded by Chairman Wescott, to recommend approval of modifying and acquiring the drainage easement at 700 Second St. N. as shown on the attached map.

Ayes all; Nays none; Motion carried.

5. CONDITIONAL USE - SPASH PARKING LOT

John Gardner noted the only changes to the plan since the last meeting are there is no faculty parking lot or bus drop-off as previously proposed along North Point Drive. Student access points remain the same.

Chairman Wescott stated this is the same thing that you approved at the June meeting. Nothing has been added since the plan was presented last month. No action is required today.

Meeting adjourned at 4:55 p.m.

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