

Meeting Minutes

REPORT OF CITY PLAN COMMISSION

Monday, July 9, 2001 - 4:00 P.M.

PRESENT: Chairman Mayor Wescott; Lois Feldman; Jackie Hoppen; Elbert Rackow; Bud Flood; Jeff Zabel; Fred Steffen

ALSO PRESENT: Comm Dev. Dir. John Gardner; City Clerk Vickie Zdroik; Mayors Assis. Louis J. Molepske, Jr.; Ald. Molski, Sevenich, Phillips, and Seiser; Brian Cooke; Reid Rocheleau; Gary Wachowiak; Paul Chronis, Journal; Scott Krueger, WIZD; Gene Kemmeter, Po. Co. Gazette

1. APPROVAL OF THE JUNE 4, 2001 PLAN COMMISSION MINUTES

Elbert Rackow moved, seconded by Bud Flood, to recommend approval of the minutes of the June 4, 2001 meeting. Ayes all; Nays none; Motion carried.

2. A. REQUEST TO CONSTRUCT A FLAGPOLE-MONOPOLE FOR A WIRELESS COMMUNICATION SERVICE AS A CONDITIONAL USE - WAL-MART - 5601 HIGHWAY 10 E.

B. AMEND ZONING ORDINANCE SEC. 23.02(4)(D) - WIRELESS COMMUNICATION TOWERS - SIGNAGE AND SETBACKS

John Gardner stated the request is for a 86.5' tower and antenna south of the drainage pond on the front of the Wal-Mart site. The proposed tower would be constructed to look like a flag pole with support buildings and be enclosed by a fence. As proposed, the tower would allow room for two additional antennas. Staff feels if the tower height were increased to 98.5', the lowest antenna slot would be more usable and one less tower may need to be constructed to accommodate a third antenna. Based on the fact that the applicant has exhausted other sites due for contractual reasons and approval for previous antennas, and that the applicant has developed an excellent plan to camouflage the tower and antennas, staff recommends approval of the proposed flag pole with support equipment with the eight conditions listed in his memo.

The current ordinance does not allow flags or banners on towers even if the tower is camouflaged as a flag pole, and the setback provisions require a setback equal to the height of the structure. Staff recommends amending the current ordinance as follows: 1) allow a tower constructed as a flag pole to have a flag or banner; and 2) add language to the current minimum setbacks which would allow the Common Council to modify setbacks in cases where the applicant has camouflaged the support structure. He noted if the Council allows for modifications to setbacks, staff recommends the tower height for this proposal be increased to 98.5' if the applicant demonstrates that the tower would not pose a physical threat to adjoining properties.

Brian Cooke, representing G.M. Selby & Assoc., noted a section of the lease agreement reserves the right for Wal-Mart to place their corporate flag in addition to the American flag. With regard to safety, the towers are designed to withstand 80 mph winds with an additional ice load. The antennas are concealed within the flag pole so they are not seen.

Elbert Rackow stated he is in favor of extending the height of the tower another 12', to a total of 98.5', to avoid the need for additional towers. With regard to the amendment proposed in recommendation #2, we should probably indicate it as the "American" flag since Wal-Mart wants their corporate flag on the pole too. He is not in favor of banners.

Chairman Wescott noted he would like to see something more decorative like a brick or block fence instead of chain link. If they wish to put cell towers in these communities, they need to be creative in disguising them. This project is creative.

Fred Steffen questioned the heights of other flag poles within the city.

John Gardner responded the only one he is sure about is that the light standards in Goerke Park are 100' tall, and the pole at Lakeland Overhead Doors is 90' tall.

Bud Flood questioned if the pole is 2' in diameter?

Brian Cooke responded the pole is 2' in diameter with a slight taper.

Jeff Zabel questioned what the other structures shown within the fence are made of.

Brian Cooke responded they are prefab aggregate and composite buildings and the roof of the building will be visible above the landscaping and fence as shown in one of the pictures.

A. REQUEST TO CONSTRUCT A FLAGPOLE-MONOPOLE FOR A WIRELESS COMMUNICATION SERVICE AS A CONDITIONAL USE - WAL-MART - 5601 HIGHWAY 10 E.

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of the site plan for a 98.5' tower, with the following conditions: 1) no barb wire on the top of the fence; 2) the existing shrubs located in the construction area be moved to the north slope of the detention pond; 3) new landscaping be placed on the east, west, and north side of the fence or decorative brick/block wall to replace the proposed chain link fence. This landscaping shall be designed using a combination of different species so that at least two-thirds of the plants have a mature height of at least 6 feet. Plant material shall be an average width of two plants from the fence/wall so that the net result is not a line of plants next to the fence/wall; 4) if the fence is constructed of chain link, it must have "pipe cleaner" inserts in the fence; 5) the owner shall be responsible for maintaining the flag in good repair; 6) the flag shall be the American Flag; 7) the inlet and outlet of the detention pond must be preserved; 8) the site be constructed as shown on the attached site plan.

Ayes, Rackow, Zabel, Flood, Steffen and Ch. Wescott; Nays, Feldman and Hoppen.

Motion carried.

Ald. Seiser expressed concern that an extra big flag would be a negative. Another concern is lighting. When flags are up at night, they are to be lit. That is a national requirement. In many cases, they have started to light flags and then become lazy when the flags get tattered and torn and they don't want to take the flag up and down. Flags are usually lit from the bottom up and she doesn't want to see this one lit at night because it is a source of light pollution.

Ald. Sevenich questioned the height of the plantings when planted.

Brian Cooke responded 2' and 4' height at planting.

Ald. Phillips questioned where the decorative block and chain link fence would be.

Chairman Wescott responded it is his understanding we would be giving them the option of decorative block or fence on the north, east, and west sides along with the plantings. The south side, toward the parking lot, would be a chain link fence with inserts.

John Gardner noted the federal government has determined that the effect of the ordinance cannot be to prohibit telecommunication towers. We have to accommodate it in some fashion. We can regulate the method to mitigate the impact, but we cannot deny telecommunication towers everywhere in the city.

B. AMEND ZONING ORDINANCE SEC. 23.02(4)(D) - WIRELESS COMMUNICATION TOWERS - SIGNAGE AND SETBACKS

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of amending the Zoning Ordinance with regard to signage and setbacks as follows: 1) allow a support structure if constructed as a flag pole and the American flag is integral to the design of the support structure, and such flag to be lighted or lowered at night, and 2) add language to the current minimum setbacks which would allow the Common Council to modify setbacks in cases where the applicant has camouflaged the support structure as a flag pole.
Ayes all; Nays none; Motion carried.

3. A. REQUEST TO CONSTRUCT MINI-WAREHOUSING AS A CONDITIONAL USE - ELECTRONIC SERVICE CO. - 4912 CTY TK HH (NW CORNER OF HH/OLYMPIA)

B. AMEND ZONING ORDINANCE - SEC. 23.02(2)(A) NEIGHBORHOOD BUSINESS DISTRICT - CONDITIONAL USE

John Gardner reviewed the attached memo and stated the request is to construct additional mini-warehouses. He distributed color copies of the photographs in the staff report. The property is zoned "B-1" Neighborhood Business. Mini-warehouses are not permitted in "B-1" zoning, but are allowed in "B-4" Commercial Zoning. The owner requests rezoning or amending the ordinance to allow mini-warehousing. Staff does not recommend rezoning because this area is limited to low scale commercial uses. However, we would recommend amending the ordinance to allow only expansion of existing mini-warehousing, not new installations, in Neighborhood Business Districts as conditional uses. He recommends approval of the proposed site plan as a conditional use with the conditions stated in his memo.

He noted letters were sent to neighbors for input.

Gary Wachowiak stated he has been there 20 years and he never thought there would be this much building around him. Many of these new homes cannot have their RVs etc. outside, so he feels there is a real need for the additional warehouses.

Jeff Zabel felt this was a great idea. He questioned if there is a landscape plan.

John Gardner responded there is not landscaping plan at this time, but felt one could be provided by the time of the Council meeting next week.

Ald. Phillips questioned whether there is a requirement in the ordinance for blacktopping.

John Gardner responded there is for newly constructed parking lots. However, the gravel lot is existing and we would allow him to continue the existing gravel area. Most of it will be hidden by the landscaping.

A. REQUEST TO CONSTRUCT MINI-WAREHOUSING AS A CONDITIONAL USE - ELECTRONIC SERVICE CO. - 4912 CTY TK HH (NW CORNER OF HH/OLYMPIA)

Elbert Rackow moved, seconded by Fred Steffen, to recommend approval of the request to construct mini-warehousing as a conditional use with a landscaping plan to be provided at the July Common Council meeting.
Ayes all; Nays none; Motion carried.

B. AMEND ZONING ORDINANCE - SEC. 23.02(2)(A) NEIGHBORHOOD BUSINESS DISTRICT - CONDITIONAL USE

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of amending the Zoning Ordinance to allow for expansion of existing mini-warehouse improvements in the B-1 Neighborhood Commercial District.
Ayes all; Nays none; Motion carried.

4. OFF-SITE DRAINAGE AGREEMENT - 4917 COYE DRIVE

John Gardner stated the owner wishes to construct an addition to his existing building and direct the drainage to another property he also owns to the south. Staff recommends approval with the condition that a drainage easement be recorded prior to issuance of a building permit.

Fred Steffen moved, seconded by Chairman Wescott, to recommend approval of the off-site agreement for the property at 4917 Coye Drive.
Ayes all; Nays none; Motion carried.

Meeting adjourned at 4:50 p.m.

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