

Meeting Minutes

REPORT OF CITY PLAN COMMISSION

Tuesday, September 4, 2001 - 4:00 P.M.

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

ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Clerk Victoria Zdroik; Mayors Assis Louis Molepske Jr.; Ald. Molski, Sevenich, Sowieja, Phillips, Barr, Nealis, Filipiak, and Seiser; Po. Co. Planning & Zoning Dir. Chuck Kell; Po. Co. Senior Planner, Jeff Schuler; Kurt Lepak; Po. Co. Dept. on Aging Dir. Janet Zander; Tom Brown; Larry Koopman; Paul Chronis, Journal; Gene Kemmeter, Po. Co. Gazette

1. APPROVAL OF THE AUGUST 6, 2001 PLAN COMMISSION MINUTES

Bud Flood moved, seconded by Elbert Rackow, to recommend approval of the minutes of the August 6, 2001 meeting. Ayes all; Nays none; Motion carried.

2. COND. USE - CAR WASH - TRZEBIATOWSKI - LOT EAST OF TIRE PLUS (5382 HWY 10 E.)

John Gardner noted there are no residential neighbors within 300 feet and most of the noise should be directed south away from the residential area. The proposed driveway plan is consistent with the highway access plan. Construction is to be of decorative block with a colored band. With regard to compatibility with the recharge area, all storage would be indoors and there would be floor drains serving the inside storage area. Staff recommends approval with the conditions as noted in his memo with regard to signage, drainage, and the entrance drive curbs.

Jeff Schuler questioned if the decorative block would be on all sides of the building.

Randy Trzebiatowski responded the entire building would be gray decorative block with a maroon band.

Elbert Rackow noted he liked the idea of combining driveways and suggested a time limit for construction of December 31, 2002 unless 25% of the building is completed.

Fred Steffen moved, seconded by Bud Flood, to recommend approval of the conditional use for a car wash at 5398 Hwy. 10 E. with the following conditions: all signage meet city standards, the drainage area in the front of the building not be as deep as shown, the perforated pipe be eliminated, a curb be constructed on the west side of the entrance drive identical to the curb on the east side of the entrance drive, the joint drive to Taco Bell joins behind the parking aisle similar to the proposed car wash, and that the conditional use is approved with a time limit for construction of December 31, 2002 unless 25% of the building is completed by that time. Ayes all; Nays none; Motion carried.

3. VARIANCE FROM SUBDIVISION ORDINANCE - BONNIE BAY RD @ FIRST ST. - THREE LOTS THAT DO NOT HAVE STREET FRONTAGE

John Gardner stated at one time there was talk of creating a cul-de-sac going straight west and extend First St. to a cul-de-sac. A portion was dedicated for that purpose and now has to be vacated. The Town Chairman is not against the vacation. The proposed lot split is similar to others in the city, would maximize the use of the land and property value, and would create reasonable sized urban lots. Staff recommends approval with the conditions that the drive aisle be maintained to allow the largest fire truck access, provisions be made for maintenance of the private drive and joint utilities, the private drive be owned by one or all of the property owners, and that all addresses be posted at the drive aisle entrance.

When asked for the County policy, Chuck Kell noted the county ordinarily requires ownership of drive aisles by all three parties, and they all be equally responsible for maintenance.

John Gardner noted just because they jointly own the drive aisle doesn't mean there won't be any problems with maintaining the drive aisle such as the type of paving to be used, or whether to resurface or just patch it.

Kurt Lepak, owner of the property, stated joint ownership will be fine. We will be paving the drive aisle after the utilities are put in. We would have to set it up in the deed with regard to maintenance, etc. Since there would be three property owners, they would have to vote on an issue that might come up.

Ald. Seiser questioned what the setbacks are to protect McDill Pond?

John Gardner responded the county has a 100' setback from the normal high water mark. The city has no shoreline maintenance regulations.

Ald. Phillips questioned the intentions for the existing road that runs between School St. to Bonnie Bay Road?

Kurt Lepak responded the existing road would be terminated.

Jeff Zabel moved, seconded by Fred Steffen, to recommend approval with the conditions that the access drive be as shown on the attached map, the driveway be maintained to allow the largest fire truck access, the street addresses be posted at the curb entrance, provisions for maintenance of the private drive and joint utilities be recorded on the relevant deeds, and the lot marked "private drive" be owned by all three property owners, subject to review by the City Attorney. Ayes all; Nays none; Motion carried.

4. AMEND ZONING ORDINANCE - 23.02(3)(b)2.b. "M-2" HEAVY INDUSTRIAL ZONE - TO RE-CLASSIFY THE FOLLOWING USES FROM PERMITTED TO CONDITIONAL USES:

- 2) Concrete redi-mix plants and distribution activities,
- 3) Manufacturing, storage and sale of concrete products
- 4) Fertilizer mixing, blending, bagging, storage and sales
- 7) Storage and distribution of petroleum components
- 8) Solid waste transfer facilities
- 11) Paper product mfg.
- 12) Brick, tile, and terra cotta mfg.
- 15) Metal fabrication
- 16) Trucking and excavation contractors
- 19) Pallet manufacturing
- 25) Ice, coal, brick, and stone sales and storage

John Gardner stated following a Solid Waste Board meeting which dealt with reviewing solid waste transfer uses, he looked at our ordinance and found that these uses do not require our review and could have an impact on neighboring properties. As an example, there is heavy industrial zoning on some small lots along Minnesota Ave. south of Rice St. which are across from single family homes. He is requesting the Commission and Council look at moving this list of permitted uses to conditional uses which would allow for review and neighborhood input.

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of amending the Zoning Ordinance to classify the following uses as conditional uses under "M-2" Heavy Industrial Zoning: 2) Concrete redi-mix plants and distribution activities; 3) Manufacturing, storage and sale of concrete products; 4) Fertilizer mixing, blending, bagging, storage and sales; 7) Storage and distribution of petroleum components; 8) Solid waste transfer facilities; 11) Paper product mfg.; 12) Brick, tile, and terra cotta mfg.; 15) Metal fabrication; 16) Trucking and excavation contractors; 19) Pallet manufacturing; 25) Ice, coal, brick, and stone sales and storage. Ayes all; Nays none; Motion carried.

5. TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT

John Gardner stated the State of Wisconsin is requiring that all municipalities of 12,500 population or greater adopt an ordinance by the end of the year, similar to the model ordinance that he distributed. The intent is to allow mixed uses, smaller lots, alleyways, possibly grocery stores and small retail uses in the same neighborhood. A good example of this type of neighborhood is the north side of the city. He has distributed this to city staff for input. No action is required today.

Tom Brown, 616 Sixth Ave., indicated he is encouraged that this is being discussed and indicated a comparable neighborhood on County M in Middleton WI. He suggested the Commission realize that this proposal is in reaction to the modern zoning practices of the last 20-50 years that have taxed the community such that you end up having to construct infrastructure that cannot be supported by the tax base that you are getting.

6. ACQUISITION AND RESALE OF 2116 AND 2124 DIVISION STREET

John Gardner reviewed the attached maps and stated he is proposing the City acquire these properties for market value as established by the tax assessment as blight elimination, demolish the buildings, and sell a portion of the land to adjoining property owners, with the balance of land to be sold to CAP or Habitat for construction of a new home. These homes are in very poor condition on very small lots. We have partnered with CAP and Habitat in the past for other projects to replace homes in poor condition with new or relocated homes. The sale of land would not happen until next summer for fall construction.

Fred Steffen stated a bicycle path has been discussed through the southside. Is there any way to keep some of this land within the city s ownership for a bicycle path in the future. If we don t do it today, we ll never get it tomorrow.

John Gardner responded we could reserve 5' or 7', however, we still would have to acquire the rest from Dixon St. to wherever the bicycle path would end.

Chairman Wescott noted one of his winter assignments for the Engineering Dept. is to look into how we could do it and what it would cost to acquire the sufficient property and right-of-way to create the bicycle path.

Ald. Sowieja expressed concern with the hit to the taxpayers. Don t we have ordinances as far as if property becomes deteriorated and we can condemn it or require them to take it down.

John Gardner responded condemnation means that damage to the property has to exceed 50% of the market value. Some properties are just so old that they just can t be fixed up any more. He shares the concern that we take a hit by buying the properties for \$84,000 and selling them for \$12,500. However, these properties, if not taken care of, become a blighting influence on other surrounding properties and then they deteriorate. The only way to interrupt that cycle is to take out the properties that bad.

Elbert Rackow moved, seconded by Lois Feldman, to recommend the city proceed with acquisition and resale of 2116 and 2124 Division Street. Ayes all; Nays none; Motion carried.

7. COND. USE - LINCOLN CENTER EXPANSION/REMODELING - 1519 WATER ST..

John Gardner stated the plans have not changed since our last meeting. He reviewed the eight conditional use standards. He feels the standards have been met and recommends approval. The commission has the following options: 1) approve and defer final review of the site plan and building elevations to the Common Council, 2) approve as presented, or 3) delay approval for the final plans.

Elbert Rackow moved, seconded by Lois Feldman, to recommend approval of the conditional use permit for expansion and remodeling of the Lincoln Center for location and footprint as proposed and defer final review of exact exterior plans and building elevations to the Common Council. Ayes all; Nays none; Motion carried.

8. COMPREHENSIVE PLAN

Jeff Schuler distributed minutes from the August 22 meeting of the Joint Steering Committee, background information to date, census data, and a breakdown of population changes. The committee has been working on the history of the county with regard to housing, employment, and unemployment. He stated the format for the county-wide survey has gone to the printer and approximately 30,000 surveys should be mailed out by next week

9. DOWNTOWN PLAN

John Gardner noted much of the discussion this far has been on the design element. A report, prepared by Michael Schroeder, a landscape architect and urban designer, was prepared which contains seven strategies which are not proposed as an immediate solution for the downtown, but as a direction to evolve over 10-20 years. He reviewed the seven strategies (attached) and noted the full meeting is on video tape and is available for review by commissioners or alderpersons.

Meeting adjourned at 5:10 p.m.

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