

Meeting Minutes

REPORT OF CITY PLAN COMMISSION

Monday, February 7, 2000 - 4:00 P.M.

PRESENT: Chairman Mayor Wescott; Elbert Rackow; Lois Feldman; Bud Flood; Art Davy; Fred Steffen (Excused, Jeff Zabel)
ALSO PRESENT: Comm. Dev. Dir. John Gardner; Clerk Victoria Zdroik; Mayors Assis. Rocky Bumgarner; Po. Co. Senior Planner Jeff Schuler; Ald. Phillips, Kedrowski, Niedbalski and Sevenich; Ted Rosenfeldt; Reid Rocheleau; Jay Johnson; Mark Ilten; Ruth Witkowski; Florian and Ann Piotrowski; Ron Piotrowski; Paul Hillestad; Jaime Klasinski; Krista Mendyke; Larry Koopman; John Ford; Marge Molski; Edward Grasamkee; Phillip Galloway; Neil Marciniak; Bernie Coerper; Mary Thurmaier; James Mendyke Jr., Luci Lutz; Chris Northwood; Norm Barber; Susan Kampmeier/Journal; Scott Krueger/WIZD; Gene Kemmeter/Po. Co. Gazette

INDEX:

1. APPROVAL OF THE JANUARY 3, 2000 PLAN COMMISSION MINUTES
2. PRELIMINARY SITE PLAN REVIEW - PARKDALE DEV. - AMBER LANE @ WINDY LANE
3. SIGN VARIANCE REQUEST - 5501 HIGHWAY 10 E
4. CONDITIONAL USE - 2725 CHURCH STREET - ROGER S CINEMA - REQUEST FOR CANOPY AND PERMISSION FOR OFF-SITE PARKING
5. CONDITIONAL USE - 639 SECOND STREET NORTH - GROUP HOME
6. LOT SPLIT AND TWO BUILDINGS ON ONE LOT - 2917 HOOVER ROAD
7. CONDITIONAL USE REQUEST ST PAUL SCHOOL EXPANSION 1919 WYATT AND REDUCTION OF PARKING LOT SETBACK AND PARKING STANDARDS
8. 1999 HOUSING REDEVELOPMENT REPORT
9. REZONE 2156 WATER STREET FROM "R-2" SINGLE FAMILY TO "B-4" COMMERCIAL _____

1. APPROVAL OF THE JANUARY 3, 2000 PLAN COMMISSION MINUTES

Elbert Rackow moved, seconded by Art Davy, to approve the minutes of the January 3, 2000 Plan Commission meeting. Ayes all; Nays none; Motion carried.
Back to Index

2. PRELIMINARY SITE PLAN REVIEW - PARKDALE DEVELOPMENT - AMBER LANE @ WINDY LANE

Chairman Wescott reviewed John Gardner's memo which indicates the plans are not complete at this time, but the owner wanted to submit the plans as a work-in-progress and solicit feedback. No motion is required. Final plans will come back to the commission.

Elbert Rackow requested clarification regarding the driveways on Amber Street.

John Gardner stated one driveway meets with Woodland, and the other is for trucks and delivery vehicles. Both driveways cross the drainage ditch therefore a wider shoulder is required on both sides of the entrance with a side slope, from the shoulder to the ditch bottom, of approximately 15%.

No motion was taken. Final plans must be submitted for final approval.
Back to Index

3. SIGN VARIANCE REQUEST - 5501 HIGHWAY 10 E

Jeff Schuler stated the request is for two freestanding signs for the property. Due to the fact that the property has less than 300' of frontage, the Sign Ordinance does not allow for the additional sign. At the time of annexation, rezoning, and site plan review in 1998, the developer indicated the property would be split into two separate parcels. The lot split was never completed. If the parcel had been split, each separate parcel would be allowed one freestanding sign and there would be no reason for this variance request. He recommends denial of the request based on the following: 1) the hardship presented is self-imposed, 2) the project was originally approved as separate buildings on separate lots and if it had been developed that way, there would be no need for a variance request, and 3) if the development were to remain multiple buildings on one lot, the existing Auto Glass sign should be replaced with a sign similar to the multi-tenant sign proposed by the applicant for this request.

Ald. Rackow noted a lot of work and discussion went into the Sign Ordinance. He feels the ordinance is working and hates to chip away at it.

Bud Flood did not feel the second sign would be obtrusive, but would be precedent-setting.

Art Davy moved, seconded by Lois Feldman, to deny the request for a sign variance at 5501 Hwy 10 E. Ayes all; Nays none; Motion carried.
Back to Index

4. CONDITIONAL USE - 2725 CHURCH STREET - ROGER S CINEMA - REQUEST FOR CANOPY AND PERMISSION FOR OFF-SITE PARKING

John Gardner noted the owner is proposing to add two theaters with the addition to be 35' high and 5' from the property line, construct a lobby and canopy, and locate 131 parking spaces off-site.

The first part of the proposal is to construct a canopy. Several months ago, a change was made to the Sign Ordinance requiring canopies greater than 10' and less than 25' from the street property line be considered a conditional use and require council approval. The reason for this change was that typically requests for canopies went before the Zoning Board of Appeals. The Board of Appeals would use their judgment. Because of a number of recent court cases, the judgment on the part of the Board of Appeals has been restricted dramatically.

The proposed canopy is 22 feet in width and 10' from the front property line. Staff doesn't have any particular problems with the canopy, but do recommend the following if the request is approved: 1) any area lighting be placed in cut-off fixtures, 2) because the canopy is as narrow as it is, our office as well as the Police Dept., recommends limiting the traffic flow to one-way-only going northbound under the canopy, and that the driveway onto Church St. be an exit-only, 3) no pavement be allowed between the canopy and the sidewalk and that landscaping be provided between the canopy and the street right-of-way to prevent vehicles from driving on the sidewalk, and 4) eliminate parking spaces #34 and #35, because they don't meet the back-up requirement of the ordinance, and replace these spaces somewhere else.

The second part of the proposal is permission for off-site parking. The site was first developed in the 1970's. The site was expanded in 1986 and parking was a concern. Neighboring property owners signed statements in support of the expansion. In normal circumstances staff would recommend parking on the site of the use. The owner stated he has contacted one adjacent property owner with regard to acquisition. The owner stated purchase was not practical. Staff has not reached a consensus at this point regarding parking. Some staff feel this will work just fine. Other staff feel patrons would tend to park in adjoining commercial lots because the canopy and entrance are located towards the north end of the complex and the proposed off-site parking to the extreme south end. Staff has informed adjacent commercial property owners of this request to solicit their input.

Ruth Witkowski, 1324 Matilda St., expressed concern with the parking and the additional traffic. It is noisy and they don't take care of the sidewalks. What about drainage from the proposed parking lot? With regard to the canopy, there are an average of 3 semis in there every week delivering supplies, where will they turn if they have to come in off Matilda and go out onto Church St. They won't fit under the canopy. What about the lighting? They have 188 parking spaces with 486 people. How are they going to get 486 people into 188 parking spaces.

John Gardner responded with regard to drainage, the proposal shows the drainage going to the south toward an internal catch basin instead of across the sidewalk and into the street. With regard to lighting, he is recommending cut-off fixtures similar to the YMCA parking lot.

Florian Piotrowski, 2530 Warner St., stated the new building will be right in his back yard and higher than his house and he is concerned with noise.

Ted Rosenfeldt, owner of Roger's Cinema, the new sound system has to meet requirements and the sound will all be retained on the inside. There are no doors facing Mr. Piotrowski's property, so there shouldn't be any noise.

Fred Steffen noted his office is across from this site. Within hours of shoveling our sidewalk, the street is plowed and the sidewalk is covered again with snow. The property owners at the corner of Matilda/Church Sts. would have a lot of liability keeping that sidewalk clean of snow and ice if **they are responsible for 400-500 theater-goers walking down their sidewalks going to and from this proposed parking lot. I can't imagine the theater owners taking care of it.** Ald. Kedrowski felt this proposal would be creating commercial uses which would surround existing residential uses and he can't support it. **The plan needs revising. He also questions the ratio of parking to the number of theater seats.**

John Gardner responded he reviewed the background and found that when the original request came in the 1970's, the parking requirements **were 1 space for every 3 ½ seats in the theater. The Council, at that time, determined the ratio was too restrictive and it was changed to the ratio that we see here.** There was another expansion in 1986 and adjoining commercial businesses were in favor of the expansion. We have not received any complaints regarding inadequate parking on the site.

Chairman Wescott noted people drop their children off at the movies but don't take up parking stalls.

Lois Feldman stated she is uncomfortable with the whole proposal as we see it now. Perhaps there can be some more research on it.

Lois Feldman moved, seconded by Art Davy, to deny the request.

Elbert Rackow noted Commissioner Feldman's statement seems to indicate that the motion is denial of the proposal as presented now and not without some opening of them bringing it back.

Chairman Wescott suggested a friendly amendment that the owner of the theater work with the alderman, planning office, and neighbors to make it a better plan.

Lois Feldman and Art Davy withdrew their motion and second.

Fred Steffen moved, seconded by Elbert Rackow to table this request and suggest that the owner work with the alderman, neighbors, and the planning office on a revised plan. Ayes all; Nays none; Motion carried.
Back to Index

5. CONDITIONAL USE - 639 SECOND STREET NORTH - GROUP HOME

Jeff Schuler reviewed his staff report and noted that since it was prepared, the developer has secured an option on the additional land needed to the south. The request is for a 28-bed CBRF. State Statutes indicate facilities such as this are allowed in residential zoning and in this case, because of the number of units, it is eligible to be considered as a conditional use. The proposal meets nearly all of the 14 conditional use standards. He recommends approval with the four conditions noted in his case report and to also include 1) that the north setback line be increased from 30' to 40' due to the height of the building, 2) the proposed garage be relocated north or south of the entry drive away from direct sight lines of the day room and porch, 3) the landscaping plan should pay special attention to the areas north of the dining rooms and adjacent to the day room and porches, and 4) a split-faced block band with limestone cap shall be installed on all four elevations of the structure.

John Gardner noted the proposal includes storm drainage and recommended that storm drainage be included as a condition of approval.

Jaime Klasinski, developer, stated there is a 15" storm sewer in the road and they intend to open the road anyway for a larger water service. He has no problems with a 40' north setback.

Ald. Niedbalski stated the northside is over-saturated with multiple family development. There is no guarantee down the road that this will remain a CBRF. There is always the possibility that this could go into multiple family housing. He is concerned with the water table in this area. It would have to have storm sewer installed and the developer, Jaime Klasinski, has indicated that it would be. With the requirements that the planner has set forth, including water removal, he would not oppose the project.

Fred Steffen moved, seconded by Elbert Rackow, to recommend approval of the conditional use request for a 28-bed group home on the property at 639 Second St. N. with the following conditions: 1) successful acquisition of property to the south as shown on the site plan to allow sufficient setbacks, screening and buffering; 2) submittal of a detailed landscaping, exterior lighting and grading plan, drafted per requirements contained within section 23.01(14)(f)7 of the Stevens Point Zoning Code. The landscaping plan should emphasize the long-term/permanent screening of this very large structure. Lighting information should include style, height, and intensity of lighting fixtures as well as location; 3) parking stalls to be 90 degrees, with additional parking to be installed if determined to be necessary by Dept. of Comm. Dev. staff. 4) the proposed garage be relocated north or south of the entry drive away from direct sight line of day room/porch; 5) the north setback line be increased to 40'; 6) split-faced block

band with limestone cap shall be installed on all four elevations of the structure; 7) drainage plans to be approved by City Engineering Dept. Ayes all; Nays none; Motion carried.
Back to Index

6. LOT SPLIT AND TWO BUILDINGS ON ONE LOT - 2917 HOOVER ROAD

John Gardner stated the proposed lots exceed the minimum frontage and lot size requirements and would share a single access point. He recommends approval of the lot split and two buildings on one lot with the conditions as noted in his memo.

Lois Feldman moved, seconded by Fred Steffen, to recommend approval of the lot split and request for two buildings on one lot at 2917 Hoover Road with the following conditions: 1) the shared access be shown on the survey map; 2) "No Access" shall be shown on all Hoover Rd. frontage except the existing driveway; 3) drainage plans must be approved prior to construction; and 4) parking lot screening plans must be approved prior to construction. Ayes all; Nays none; Motion carried.
Back to Index

7. CONDITIONAL USE REQUEST ST PAUL SCHOOL EXPANSION 1919 WYATT AND REDUCTION OF PARKING LOT SETBACK AND PARKING STANDARDS

John Gardner noted some corrections to his memo. Under Expansion on the first page, the proposed setback for the proposed addition is 17' 1" on the west end of the addition and narrows down to 15' 4" on the east end of the addition. The ordinance was changed to allow for expansion of churches and schools to be less than the required 25' setback, but not less than 10'. The proposed building setback is consistent with the neighborhood, will not impact on future road requirements, and staff recommends approval.

The second part of the request deals with parking setbacks. With respect to existing parking lots, the ordinance states "in the event available parking does not exceed the parking requirements of this ordinance, landscaping shall be added which will not result in the loss of parking spaces and shall not decrease the parking dimensions of the reconstructed lot to less than the dimensions contained in this ordinance". He reviewed his memo and the existing and proposed parking areas as indicated on the attached map Items #1-9. Items #1-#5 deal with existing parking and Items #6-#9 deal with new expanded parking. Items #1-#6 meet the intent of the ordinance, but staff has concerns about Items #7, #8, and #9. Item #7 - a 6' setback is proposed and 10' is required. Item #8 - a 10' setback is proposed and 25' is required. Item #9 - a 1' setback is proposed and 10' is required. Overall, the church and the school have 112 parking spaces today. With the expansion, they would have 89 spaces without the landscaping, and 84 spaces with the landscaping. The number of parking spaces would decrease to the 60's if parking lot setbacks were increased in areas #7-9.

Mary Thurmaier, 1926 Center St., stated she is involved in education and concerned about sufficient room to educate children and she is sympathetic with the church and school. We, as neighbors, are concerned about the residential neighborhood. The property owners adjacent to **the school property along Center St. are out of town and unable to attend. There isn't 3' between the fence and their house and the weeds grow up, etc.** Weeds also grow up along Oak St. and are not taken care of. She wants to cooperate with the church, but does not want a fence right on her property line. She wants a 10' setback between their parking area and a privacy fence on her property. Other neighbors have expressed concern with the increased traffic and the lighting from the parking areas.

Lucy Lutz, representing her father at 1935 Oak St., stated that regarding Items #6 and #7 on the map, they are opposed to anything less than a 10' setback on either side. The weeds are not taken care of along the existing fence and the proposed driveway off East Ave. would be right along their property.

Mark Ilten, Chairman of Building Committee for St. Paul's church, stated in 1975, there were 4 classrooms (K-8th grade) with approximately 11 students. Presently, the school has 8 classrooms with 200 students. There has been a lot of growth and we have dealt with it internally. We have a beautiful building and want to stay where we are. We are proposing an additional 6 classrooms with a hallway straight through the building to line up with the existing floor plan. We have 112 parking spaces that are full on Sundays. The lot is not full during the week but is utilized for the children and some parking. The church has acquired a significant amount of properties on the block and looks to acquire more when they become voluntarily available. We asked Ellis Stone to provide us with as much parking as possible.

Jay Johnson, representing Ellis Stone, stated he would like to address the area off East Ave. and why they can't meet the requirements. They proposing to demolish the residence on East Ave. and expand parking into that area with 2-way traffic. Their intention is to close off a portion for playground area during the day and still allow 2-way traffic from Center St. through to East Ave. If we have to come up with 10' setbacks on each side, it is questionable if we could even provide one-way traffic. The only way would be to eliminate all the parking and reduce the total parking spaces to the high 60's or low 70's.

Ald. Phillips suggested one-way traffic with angle parking and a 10' setback and it would give you enough room with the angle parking.

Jay Johnson responded they looked at that but it did significantly reduce the parking by 8-9 spaces. One-way traffic created a problem with drop-offs at the entrance. If its two-way, you can still pass by vehicles stopped at the entrance.

Ald. Kedrowski noted the school system said they would proceed with the expansion of Jefferson School whether they got the referendum or not, that they would do it through their normal budget, which should reduce the traffic on East Ave. and with their drop-off area being changed from East Ave. to Oak St., that would also reduce traffic on East Ave.

Elbert Rackow noted the diagonal line for the play area is not there during church services, so he wonders if the parking spaces between #2 and #3 could remain the way they are and then make some conditional setbacks between #9, #8, and #7, and make those diagonal, and be one-way in or out on East Ave. It seems it would be less of an impact.

Fred Steffen suggested the traffic come in off East Ave., reduce the drive to 10'-12' in-only which increases the property to the north by 4', with a 10' setback for the property to the south. That would reduce the parking by 3-5 spaces, but in the big picture, what is the difference if your going from 112 to 89 anyway. He would also propose you would have to have the diagonal parking to force the traffic in to direct the traffic flow.

Fred Steffen moved, seconded by Bud Flood, to recommend approval of the conditional use request of St. Paul Lutheran School at 1919 Wyatt Ave. to construct an addition not less than 15' from the street right-of-way as shown on the site plan, and to allow construction of a new parking lot with a 10' setback adjacent to 1935 Oak St., and a 10' setback adjacent to 1910 & 1926 Center St., with the details to be worked out by the owner, Ellis Stone and the neighbors. If neighbors agree to an 8' setback, that would be fine. Ayes all; Nays none; Motion carried.

[Back to Index](#)

8. 1999 HOUSING REDEVELOPMENT REPORT

John Gardner reviewed the different programs and noted the total amount invested through loans for City housing was \$985,380, which does not include administrative costs. The average loan was \$8,000 which indicates a lot of activity. It is the combination of programs from which to draw from that makes this possible and as successful as it is. In addition, four dilapidated homes were demolished and four new homes will be put up in their place. New houses were started by SPASH and Habitat for Humanities. This is a superior program and he would like to see it go county-wide. Chairman Wescott stated we are proud of these programs. It is a means of reinvesting in the older parts of the city. They return tremendous dividends to our community.

Elbert Rackow feels staff should be commended for making the complex interconnections that cause this to happen.

[Back to Index](#)

9. REZONE 2156 WATER STREET FROM "R-2" SINGLE FAMILY TO "B-4" COMMERCIAL

Jeff Schuler stated he reviewed all of the properties on the block and found that with the exception of the Opiola property, all the rest are zoned **single and two family and used as residences**. The rezoning request is not in conformance with the City's Development Guide which identifies area as single family and duplex. The lot size would meet the minimum square footage requirements for commercial zoning, but there are questions regarding the front setback. He reviewed the intent of commercial zoning and found that in terms of on-site parking and street access, this site seemed to fall short. The applicant declined to provide specific information regarding any proposed commercial use of the property and staff proceeded to review the request using the existing square footages and commercial parking requirements. We found that 6-10 parking stalls would be required for a commercial use of the existing building and commercial access to this site would be difficult given the location of the existing structure. He recommends denial of the request based on conditions listed in the staff report.

Ald. Kedrowski stated when the council addressed the Water St. issue, we fell short when we didn't identify how properties could be rebuilt. He has a hard time addressing issues like this when we don't know the ultimate fate of Water St. We need to move forward to address the area w of Bus 51, east of the river, south of Clark St., and north of Rice St.

Reid Rocheleau expressed disappointment, but not surprise, that he was placed last on an obviously long agenda when he had made his rezoning request and paid his fee on the 23rd of December. He feels the report presented misrepresented the facts and is disproportionate to what he is requesting. This meeting has gone on a long time tonight and maybe you would like to postpone this item and put him first on the agenda next time.

Chairman Wescott stated the commission can accept the report and approve or deny the request, or delay the item one month.

Bud Flood moved, seconded by Fred Steffen, to table the rezoning request for 2156 Water Street. Ayes all; Nays none; Motion carried.

Meeting adjourned at 6:50 p.m.

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