

Meeting Minutes  
REPORT OF CITY PLAN COMMISSION  
Tuesday, September 7, 1999 - 4:00 P.M.

PRESENT: Chairman Mayor Wescott; Art Davy; Jeff Zabel; Elbert Rackow; Bud Flood; Fred Steffen (Excused, Lois Feldman)  
ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Clerk Vickie Zdroik; Mayors Assis. Rocky Bumgarner; Ald. Aldinger, Phillips, Sevenich, Kedrowski and Nealis; Steve/Susan Katner; Carrie Mastair; F J Pacocha; Dan Retzki; Troy Hojnacki; Rudy Ottersen; Al Zdroik; Andy Risberg; Bill Bayba; Mark Wolf; Susan Kampmeier; Gene Kemmeter;

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- 1) APPROVAL OF THE JULY 12, 1999 PLAN COMMISSION MINUTES
- 2) CONDITIONAL USE - ZERO LOT LINE - 2133 OAK STREET
- 3) CONDITIONAL USE - REDUCED GARAGE SETBACK - 724 PRENTICE ST.
- 4) CONDITIONAL USE - REDUCED GARAGE SETBACK - 1117 WISCONSIN ST.
- 5) AMEND STREET SETBACK REQUIREMENT - CORNER LOTS - R-2" AND R-3" ZONING DISTRICTS
- 6) CONDITIONAL USE - MARKOVICH INVESTMENT - 5373 HWY 10 E. - AMEND EXISTING CONDITIONAL USE BY REPLACING EXISTING FENCE WITH SELF-STORE BUILDINGS
- 7) ALLOW OFF-SITE PARKING FOR J FULLER SPORTS BUILDING - 912-20 MAIN ST.
- 8) CONDITIONAL USE - 42-UNIT APARTMENT PROPOSAL - SANDPIPER DR.
- 9) ACCEPTANCE OF LAND FOR RELOCATED BADGER AVENUE

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1) APPROVAL OF THE JULY 12, 1999 PLAN COMMISSION MINUTES

Elbert Rackow moved, seconded by Art Davy, to approve the minutes of the July 12, 1999 meeting. Ayes all; Nays none; Motion carried.  
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2) CONDITIONAL USE - ZERO LOT LINE - 2133 OAK STREET

John Gardner stated the owners are requesting to split the property into zero lot line ownership. The duplex exists (2133 and 2135 Oak St.) with a common wall that will facilitate separate ownership. Staff recommends approval conditioned upon a survey locating the proposed lot line on the common wall.

Jeff Zabel moved, seconded by Bud Flood, to recommend approval of the request for zero lot line development at 2133-35 Oak Street conditioned upon a survey locating the proposed lot line on the common wall. Ayes all; Nays none; Motion carried.  
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3) CONDITIONAL USE - REDUCED GARAGE SETBACK - 724 PRENTICE ST.

John Gardner stated the owner has requested permission to construct a garage 3' from the property line but less than 10' from the principal building. The garage could be placed to meet the required 10' separation, however any vehicles parking in front of the garage would extend into the alley. Staff feels placing the garage closer to the home is justified to preserve the safety of the alley. Drainage will be kept on-site and staff recommends approval.

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of the request for a reduced garage setback at 724 Prentice St. as a conditional use.  
Ayes all; Nays none; Motion carried.  
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4) CONDITIONAL USE - REDUCED GARAGE SETBACK - 1117 WISCONSIN ST.

John Gardner stated the owner is requesting permission to construct a garage which would be located 3' from the property line but less than 10' from the principal building. The owner proposes to remove the existing garage on the front half of the lot, which will create more open space at the front of the lot, and construct a new garage toward the rear of the lot. The owner has said the adjacent neighbor supports this request. Staff feels the request is justified to improve the neighborhood and recommends approval with the conditions as noted in the attached memo.

Art Davy moved, seconded by Bud Flood, to recommend approval of the request for a reduced garage setback at 1117 Wisconsin St. as a conditional use with the condition that 1) the garage be constructed at least 2 feet from the principal building and 2) the siding on the house where the existing garage is attached be replaced with siding to match the home. Ayes all; Nays none; Motion carried.  
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5) AMEND STREET SETBACK REQUIREMENT - CORNER LOTS - R-2" AND R-3" ZONING DISTRICTS

John Gardner reviewed the existing 25' setback requirements and stated the proposed amendment would allow property owners of 50' corner lots to replace or add on to their houses up to 20' from the right of way. In the past, the Zoning Board of Appeals handled these requests but court cases have limited their flexibility. This should not allow student houses or duplexes to expand because in most cases the lots will be less than the minimum 10,000 sq ft and expansion of a legal use on a nonconforming lot will not be allowed. Staff recommends reducing the street setback requirement in R-2" and R-3" districts to 20' from one street and 25' from the second street for corner lots that are 50' or less.

Elbert Rackow moved, seconded by Fred Steffen, to recommend approval of amending the street setback requirement for corner lots in R-2" ; R-3" zoning districts to 20' from one street and 25' from the other street for corner lots that are 50 feet or less in width. Ayes all; Nays none; Motion carried.

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6) CONDITIONAL USE - MARKOVICH INVESTMENT - 5373 HWY 10 E. - AMEND EXISTING CONDITIONAL USE BY REPLACING EXISTING FENCE WITH SELF-STORE BUILDINGS

John Gardner stated the owner has requested to replace the existing fence with self-store buildings and to remove a portion of the building from each of the two aisles of the existing buildings. The Plan Commission previously approved substituting a building for a fence on the south property line. This request is to substitute a building for a fence on the east property line. The proposed building would be setback 20' from the property line. Staff feels the request is consistent with the original conditional use resolution and recommends approval conditioned upon the buildings being no more than one story in height.

Elbert Rackow felt the back of the new buildings should be the same as the backs of the buildings to the south.

**Steve Katner, 1504 Marge s Lane, expressed concern about the access gates, that the back of the building be placed on the buffer line (not on the property line):** where the snow will be deposited, and that the proposed buildings be the same color and quality as the existing building. He requested that a finalized blueprint be done.

Mark Sommers responded the new units will all be 10' x 10', the access gates would be wooden to look like the fence, and they can have a blueprint done.

Steve Katner noted he would like to see the gates locked to be used by the owner only.

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of the request to amend an existing conditional use by replacing the existing fence with self-store buildings conditioned on: 1) the new buildings be no more than one story in height; 2) two sliding access gates be constructed with similar material to the existing fence, such gates to be locked and be for owners use only; 3) a finalized drawing be prepared for the Common Council meeting on Sept. 20; 4) construction is to be monitored.

Ayes all; Nays none; Motion carried.

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#### 7) ALLOW OFF-SITE PARKING FOR J FULLER SPORTS BUILDING - 912-20 MAIN ST.

John Gardner stated the request is to develop apartments upstairs and have parking approved off-site. The buyers propose two apartments with up to 4 unrelated persons per unit. The Police Department has indicated they are opposed to the request for the reasons stated in the attached memo including the safety of tenants in an older building and the potential of the large group of tenants to cause noise and parking problems in the area..

Most of the other apartments in the downtown area allow fewer than 4 persons per unit. Inspection staff has not had noise or parking complaints from the other properties.

Staff feels the curved window structure at the corner of the building is in poor condition and should be re-sided.

Staff has prepared three alternatives for consideration: approve as requested, reduce the number of renters per unit, or approve as requested for a period of one year with the owner free to make a new application at that time.

Fred Steffen stated there is a lot of room up there and suggested eight, one-bedroom units. It has been his experience that tenants do not want to room together.

Ald. Sevenich felt there should be a limit of 3 unrelated person per unit instead of the requested 4 occupants per unit. Ald. Kedrowski agreed.

Dan Retzki stated they have reserved 8 parking spaces and encourages two units with 4 people per unit. The size and space of the second floor would allow it.

Fred Steffen moved, seconded by Art Davy, to recommend approval of the request for off-site parking for 912-20 Main Street conditioned on two apartments with up to 4 unrelated individuals in each unit until December 31, 2000, at which time, the approval terminates and the owner must apply again. Performance could be reviewed at the time of re-application.

Ayes, Steffen, Davy, Flood, Rackow and Ch. Wescott. Abstained, Zabel.

Motion carried.

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#### 8) CONDITIONAL USE - 42-UNIT APARTMENT PROPOSAL - SANDPIPER DR.

**John Gardner stated the owner proposed to construct seven, 6-unit apartment buildings which is considered a conditional use within R-4" Mul Family II zoning.** He reviewed the staff report from Jeff Schuler who was unable to make the meeting today. The request would seem to meet the 14 standards to be considered for a conditional use. The building design has been modified to address the view from the street. The number of units should be able to be accommodate in this area. Further information is needed with regard to parking/landscaping, lighting, exterior materials, etc. Staff will continue to work with the owners, but feel comfortable with the proposal and recommend approval, subject to the conditions as stated in the staff report.

Ald. Phillips expressed concern with fire trucks access.

John Gardner responded he will double check with the Fire Dept. for radius, etc.

Jeff Zabel moved, seconded by Fred Steffen to recommend approval of the request for development of a 42-unit apartment complex on Sandpiper Drive with the following conditions: 1) **submittal of a landscaping plan which meets the requirements of the City s Zoning Ordinance. Special emphasis should be given to the areas extending into the main parking area between the building, the Amber Ave. frontage, and the southern boundary buffer;** 2) submittal of a lighting plan describing the location, height, type, and style of proposed lighting fixtures; 3) at a minimum, the **lower ½ of the buildings (first floor) should be brick. This applies to all four sides of each building. EIFS or a siding material could be utilized on the second floor and gable sections;** 4) submittal of plans and materials for the proposed dumpster enclosures. Materials should match or reflect the main structure. Ayes all; Nays none; Motion carried.

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#### 9) ACCEPTANCE OF LAND FOR RELOCATED BADGER AVENUE

John Gardner stated originally the pond was going to be filled and the road would go through the filled area. Now the pond is staying and the road is being adjusted to the east of the pond. Staff recommends approval of accepting the land for the adjusted roadway.

Fred Steffen moved, seconded by Art Davy, to accept the land for relocated Badger Ave. Ayes all; Nays none; Motion carried.

Meeting adjourned at 4:55 P.M.

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