

Meeting Minutes

REPORT OF CITY PLAN COMMISSION

Monday, July 12, 1999 - 4:00 P.M.

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

ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Clerk Vickie Zdroik; Mayors Assis. Rocky Bumgarner; Ald. Phillips, Aldinger, Sevenich, Kedrowski, Nealis; Chris Piotrowski; Edith Pankowski; John Holdridge; Steve/Susan Banter; Brian Formella; Warren Rheinschmidt; Ward Wolff; Gary Dreier; Rudy Ottersen; Bill Bayba; Larry Koopman; Renee Schneeberg; Susan Kampmeier; Scott Krueger; Gene Kemmeter

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1) APPROVAL OF THE JUNE 7, 1999 PLAN COMMISSION MINUTES

Elbert Rackow moved, seconded by Jeff Zabel, to recommend approval of the minutes of the June 7, 1999 meeting. Ayes all; Nays none; Motion carried.

2) CONTINUATION OF TEMPORARY CLASSROOM - BANNACH SCHOOL

Chm. Wescott noted the memo from John Gardner is self-explanatory. Staff is recommending approval of the continuation until July 1, 2001.

Lois Feldman moved, seconded by Jeff Zabel, to recommend approval of extending the conditional use for the temporary classroom at Bannach School until July 1, 2001. Ayes all; Nays none; Motion carried.

3) REZONING REQUEST - 800 WHITING AVE. - FROM R-2" SINGLE FAMILY TO M-1" LIGHT INDUSTRIAL (See Attachments to June 7 minutes)

John Gardner noted he has talked with the Pankowski s and Mr. Piotrowski. They have the same position as last month. He can see a good case for both sides of the argument and we are at the same place we were a month ago, other than we have a history of the property.

Chris Piotrowski reviewed the uses around his property. The garages provided for the adjacent apartments are in a 2,037 sq. ft. building and he is asking for a 2,700 sq. ft. building.

Edith Pankowski feels this would be spot zoning and also expressed concern with what the building would look like, how large and how tall will it be, where will the drainage will go, and what will the landscaping/screening look like. With no answers to these questions, we feel rezoning this property would be spot zoning, would decrease the value of surrounding properties, and would conflict with the direction of growth at the present time.

John Gardner noted the city does not require site plan review or building review. The only requirements would be drainage and screening of any parking.

Jeff Zabel noted that based on the fact that development in this area was based on the current zoning, rezoning this property to industrial would include all types of industrial uses. He would have a tough time supporting this rezoning

John Gardner reviewed the uses allowed in the M-1" Light Industrial zoning.

Bud Flood felt Mrs. Pankowski raised some fair questions.

Ald. Phillips doesn't feel any property along the railroad should be residential. He is in favor of zoning that would allow Mr. Piotrowski s building

Jeff Zabel moved, seconded by Lois Feldman, to deny the request to rezone 800 Whiting Ave. from R-2" Single Family to M-1" Light Industrial zoning.

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

4) REQUEST FOR SECOND BUILDING ON LOT - 3017 CHURCH STREET

John Gardner reviewed his memo and stated the owner has indicated removing the blacktop would cause a hardship because there is a drainage inlet which would be in front of the proposed building. Mr. Wolff is preparing alternate plans and will have them ready for the Council meeting.

Chm. Wescott questioned how long the building will be there.

John Gardner responded the length of time will vary. If it is successful, there could be a different model there annually. It is basically a marketing tool.

Elbert Rackow suggested time limit of June 30, 2001 for review.

Ald. Phillips questioned what signage would be allowed and how it would be handled.

John Gardner responded he would treat this the same as any other building. The owner has indicated he wants more of a residential setting so he would presume the signage would be a lower profile.

Ward Wolff stated they are working with the Wausau Home dealership. Some signage would be needed which would indicate the dealership and hours of operation. We want it to be tastefully done. We are looking at split-faced block round containers with shrubs and trees for landscaping. We are working on the visuals and will have something for the Council meeting.

Jeff Zabel moved, seconded by Fred Steffen, to recommend approval of the request to locate a prefabricated home as a second building on the lot with the following conditions: 1) the south side of the structure not block the driveway entrance. If a larger home were to be located on the site, City Engineering must approve the parking lot circulation. 2) a landscaping plan be provided that is acceptable to staff, and 3) such approval be reviewed June 30, 2001. Ayes all; Nays none; Motion carried.

5) RECONSIDERATION OF CONDITIONAL USE REQUEST - 5375 HWY 10 E. (Goodwill) (Note: See Attachments to June 7 minutes)

Ch. Wescott noted last month the Commission unanimously voted to uphold the original decision that was made in 1998. The Council voted 7-4 to return this to the Plan Commission.

He further noted this Plan Commission is very aware of the issues and does their homework. He does not want to re-visit the facts that were presented last month. The Commission is ready to listen if there is new information or facts that need to be presented.

Fred Steffen stated he went out to the site with Mr. Markovich and Mr. Sommers about one week after the last Plan Commission meeting. The fence was still down. In his opinion, there is not enough room to run a snow plow between the buildings and the fence. He does not feel it is his responsibility, nor the Plan Commission's responsibility, to force either party to make an agreement if they don't want to. He would not reverse his vote from last time. If both parties want to change their agreement, he would be in favor of voting for it.

Att. Gary Dreier stated since the last Plan Commission meeting, he has tried to get to the bottom of the agreement that was reached. There were three parties involved in the compromised plan. He has a plan dated 6/11/97 which shows a 10' distance between the lot line and the fence. **There is no doubt in his mind there was some miscommunication. A personal inspection will confirm the Kantner s are protected by code. The Zoning Code provides a 10' sideyard setback. That is simply all that we are asking for. Enforce the Zoning Code as written.**

Rudy Ottersen stated the owners and neighbors should have directly talked to each other instead of a three party discussion. There must have been some misunderstanding. He had not seen the site plan that was presented and approved before the last meeting.

John Gardner responded in 1997, a site plan was submitted to staff that showed the fence to be 10' off the property line and the building being 30' off the property line, which would leave 20' between the building and the fence. Plan Commission tabled it on July 7, 1997 and encouraged the neighbors and property owner to resolve their differences. The site plan, drawn by Grunwaldt & Assoc. for the Goodwill Store, was brought in by Mr. Ottersen and given to Mr. Mahoney the night of the special Plan Commission meeting on July 21, 1997. That site plan showed the fence 20' from the property line and was represented to the Plan Commission as the compromise that was agreeable between the parties and drawn by the applicant's architect.

Steve Kantner, adjacent property owner, presented the 2-year old drawing given to them by Rudy Ottersen, that shows the 20' buffer to the fence. He presented letters from him to the Plan Commission and from his attorney, Brian Formella, to the Plan Commission, which provided information on trees that have been cut, the importance of green space area, etc. and encourages the Commission to reaffirm their vote from the last meeting.

John Holdridge, Town of Hull Chairman, commended the city on their approach to neighborhood impact. He expressed the importance of maintaining the value of residential property through proper planning and zoning by working with the property owners to resolve potential land use problems. He encourages holding to agreements that have been made.

Ald. Sevenich noted the original agreement needs to be stuck to.

Renee Schneeberg, property owner in the area, expressed concern with saving trees and the problem with noise pollution. She supports the Kantners position.

Ald. Nealis felt a buffer is needed between residential and commercial and thought something could be worked out between the parties concerned.

Bud Flood stated the plans from last time show one row of storage units in the center. There are actually two rows of storage units in the center. They didn't build what they said they were going to.

Lois Feldman moved, seconded by Bud Flood, to reaffirm last months decision to deny the request. Ayes all; Nays none; Motion carried.

6) SECOND DRIVEWAY REQUEST - 5509 HWY 10 E. (Adjacent to Auto Glass Specialists)

John Gardner noted the Plan Commission reviewed the plans and previously approved them with one driveway opening which was consistent with the adopted access plan for the Highway Commercial Zoning District. This request is similar to the limited access point which was approved for the Fairfield Motel. This is an unusual request and the only reason we would approve it would be if it were a right-turn-in and right-turn-out situation and the median were extended. Approval would still be needed from D.O.T.

Elbert Rackow questioned who would pay for the extension of the median.

John Gardner responded the applicant would bear the cost.

Lois Feldman noted traffic has increased considerably on Hwy. 10 E. . We have worked hard to limit the number of entrances/exits along here. With regard to the Fairfield request, they are located close to an intersection and traffic is not at full speed yet. It is not unusual to have two businesses with one driveway, and she does not feel this request is a good idea.

Bill Bayba stated they previously eliminated one driveway when they combined with CAP Services and aligned with Wildwood Drive.

Lois Feldman moved, seconded by Jeff Zabel, to recommend denial of the request for a second driveway at 5509 Hwy. 10 E.

Ayes, Feldman, Zabel, Rackow and Ch. Wescott. Nays, Flood and Steffen.
Motion carried.

- 7) PARKDALE DEVELOPMENT PRELIMINARY PLAT
- 8) VACATION HIGHWAY 10 E. RIGHT OF WAY BETWEEN AMBER AND BADGER
- 9) AMENDMENT SETBACK STANDARD R-5" HIGHWAY COMMERCIAL

- (7) John Gardner noted the proposed subdivision is consistent with previously approved plats and recommends approval.
- (8) John Gardner noted the proposed plat has eliminated one street, and the right-of-way approved to serve this street is no longer needed. D.O.T. was in favor of eliminating the street. Staff recommends vacating the excess right-of-way.
- (9) John Gardner noted the Plan Commission some time ago made some large changes to the zoning text which would make the zoning text conform with the agreement that was adopted with the Town of Hull, and he finds this item can be eliminated from the agenda today.

Fred Steffen moved, seconded by Elbert Rackow, to recommend approval of the preliminary plat for Parkdale Development, and vacation of a portion of Highway 10 E. between Amber and Badger. Ayes all; Nays none; Motion carried.

10) SITE PLAN REVIEW - PROPOSED ARBY'S RESTAURANT - HWY 10 E./AMBER LN.
John Gardner stated the Engineering and Police Departments have reviewed the proposed plan and have recommended approval. Staff recommends approval subject to the conditions listed in his memo. He noted D.O.T. also has to review and approve this.

Fred Steffen, moved, seconded by Jeff Zabel, to recommend approval of the proposed site plan for Arby s Restaurant with the following conditions: 1) the building facade and landscaping around the parking lot meet agreement requirements and 2) the building meet all applicable codes. Ayes all; Nays none; Motion carried.

11) REQUEST TO AMEND GARAGE SETBACK REQUIREMENT R-2" & R-3" DISTRICTS

John Gardner stated last month the Plan Commission recommended approval of amending the Zoning Ordinance and directed staff to draft an ordinance. The proposed amendment would allow owners to improve their properties and stay in their homes longer. The amendment could also impact neighboring properties negatively by allowing a blank wall 3' from the property line. Staff recommends approval of the amendment as proposed in the staff report.

Elbert Rackow moved, seconded by Bud Flood, to recommend approval of the proposed garage setback amendment as follows: to add **accessory buildings as a conditional use in the R-2" Single Family and R-3" Two Family districts if the accessory building were detached from principal building, is located less than 10 feet from the main building, is located in the rear 35% of the lot, and is at least 3 feet from the side and rear lot lines. Ayes all; Nays none; Motion carried.**

Meeting adjourned at 5:10 p.m.

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