

**City of Portage
Plan Commission Meeting
Public Hearings, 6:20 and 6:25 p.m.
Monday, December 21, 2015, 6:30 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room Two**

Members present: Mayor Bill Tierney, Chairperson; Robert Redelings, City Engineer, Jan Bauman, Mike Charles, Peter Tofson, and Brian Zirbes
Excused: Carolyn Hamre

Others present: Director Sobiek, Public Works Director Jahncke, Bill Welsh, Craig Sauer, Jeff Liegel, Lisa Green, Doug Schena, Adam Chester, Sheri Chester, Bill Voigt, John Gruber, Kathy Huebner, Lee Grover, Lon Chester, Carolyn Roberts, Bob Zin, Jo Ann Winter, Mark Bennett, Joe Atkinson, Wayne Lelig, Scott Hewitt, Chad Stephenson, Vern Gove, Kirk Konkell, Joel Engelland, Brad Boettcher, and Ron Locast.

Public Hearing - 6:20 p.m.

To consider issuing a Conditional Use permit (CUP) for a 'large development' for Columbia County Administrative and Health and Human Services Buildings under ordinance 90-64 (4)(b) for parcels 1294.01, 372.01, 305.01, 304, 371.01, 370.01, 369, 310, 309.01, 1297, 280, and 368; 111 E. Mullet Street and 112 E. Edgewater Street, City of Portage, Columbia, County, Wisconsin.

Mayor Tierney read the public hearing notice aloud and the Director of Business Development and Planning provided the staff report. The City received two comments and inquiries by phone and in person prior to the hearing.

Mayor Tierney asked if there was anyone present who wished to speak in favor of the petition.

County Supervisor Konkell asked for approval of the Conditional Use permit petition, indicating the \$44 million project is in a good location to revitalize the downtown. He further stated that he is working with the City toward approval of a developer's agreement.

Mayor Tierney asked for a second time if there was anyone else present who wished to speak in favor of the petition. Hearing no response, he asked a third and final time if there was anyone present who wished to speak in favor of the petition.

Hearing none, Mayor Tierney asked if there was anyone present who wished to speak against the petition.

Mr. Jesse spoke against the CUP petition, inquiring why the County erected fencing around some of the acquired properties. Lastly, he stated that if the

Gruber Automotive Conditional Use permit petition was turned down, the County Gateway development project Conditional Use permit should also be turned down.

Mayor Tierney asked for a second time if there was anyone else present who wished to speak against the petition.

Hearing none, Mayor Tierney asked a third and final time if there was anyone else present who wished to speak against the petition. Hearing none, he asked if the petitioner would like to respond to questions or make any clarifying comments.

Mr. Konkkel stated that the fence was erected to deter vandalism.

Mayor Tierney declared the Public Hearing closed at 6:34pm.

Public Hearing - 6:25 p.m.

To consider a Conditional Use permit for a home occupation in the City of Portager under Ordinance 90.28 (3) will be considered for parcel 2442.21; 611 Grove Street, Unit A, City of Portage, Columbia County, Wisconsin.

Mayor Tierney read the public hearing notice aloud and the Director of Business Development and Planning provided the staff report. The City received no comments or inquiries as a result of the public hearing notice, prior to the hearing.

Mayor Tierney asked if there was anyone present who wished to speak in favor of the petition.

Petitioner Lisa Green spoke in favor and asked for approval of her Conditional Use permit to operate a massage business.

Mayor Tierney asked for a second time if there was anyone else present who wished to speak in favor of the petition. Hearing no response, he asked a third and final time if there was anyone present who wished to speak in favor of the petition.

Hearing none, Mayor Tierney asked if there was anyone present who wished to speak against the petition.

Mayor Tierney asked for a second time if there was anyone else present who wished to speak against the petition.

Hearing none, Mayor Tierney asked a third and final time if there was anyone else present who wished to speak against the petition.

Hearing none, Mayor Tierney declared the Public Hearing closed at 6:38 p.m.

Regular Meeting - 6:30 p.m.

- 1. Roll call**
- 2. Approval of minutes from previous meeting.**

Motion by Charles, second by Bauman to approve the minutes from the November 16 meeting. Motion passed 6 to 0, on call of the roll.

- 3. Discussion and possible action on a Conditional Use permit for Lisa Green to operate a Home Occupation/Massage Therapy business at 611 Grove Street, Unit A, Portage, Wisconsin.**

Ms. Green indicated she has operated a massage business for 15 years and is transferring her business from a more industrial area.

Mayor Tierney inquired whether she would have signage and how she obtains her customers. Ms. Green indicated she obtains most of her clients through referrals, and that she would have no signage.

Director Redelings inquired on the number of customers per day, the number of client vehicles parking, and the hours of operation. Ms. Green indicated she would have 3-4 clients per day and no more than 1 client car at a time parked. Her hours of operation would be 9am-6:30pm.

Motion by Redelings, second by Charles, to approve the conditional use permit application for Lisa Green, 611 Grove Street, Unit A. Motion passed on a call of the roll, with Tierney, Redelings, Bauman, Charles, Tofson, and Zirbes voting yes.

- 4. Discussion and one year review on Conditional Use Permit granted on October 20, 2014 to Gilbert Jensen on a dealer's license at parcel #2231; 109 E. Albert Street, City of Portage.**

Mr. Voigt, parcel owner, indicated Mr. Jensen has had extreme difficulty putting his used car business together for the property. He indicated he would be in favor of rescinding the Conditional Use permit for Mr. Jensen to facilitate a new Conditional use permit for Mark Clausen to operate a used car lot on the parcel.

Director Redelings outlined the conditional use granted in October, 2014 to Gilbert Jensen to operate a used vehicle lot. Mr. Jensen was notified of the meeting to discuss possible revocation of his Conditional Use permit to operate a used car lot on the parcel. In light of this, Redelings indicated it would be appropriate to rescind Mr. Jensen's Conditional Use permit issued in October, 2014.

Motion by Redelings, second by Tofson, to rescind the Conditional Use permit issued to Gilbert Jensen to operate a used car lot at 109 E. Albert Street. Motion carried with Tierney, Redelings, Bauman, Charles, Tofson and Zirbes voting yes.

5. Discussion and possible action on site plan approval for a 'large development' for the Columbia County Gateway Project; 111 E. Mullet Street and 112 E. Edgewater Street.

Ron Locast indicated the County explored the railing issue. The idea of creating a green roof top garden was also considered but was rejected due to the high cost of such a project.

Tofson inquired as to whether the County parking spaces in the Market Square lot would be delineated by signage. Locast indicated they would be. Mayor Tierney indicated it would be important to have the Market Square parking lot spaces delineated by signage, and that County employees would have parking stickers on their vehicles, as well.

Charles stated he is in favor of the Gateway project but would have wanted to see the Feed Mill saved since the owner demonstrated an interest in doing so. Redelings indicated that much of the timber from the Feed Mill will be salvaged.

Redelings indicated there will be a snow plowing arrangement with the County for the Market Square parking lot.

Supervisor Konkol indicated the developers agreement will outline shared City/County expenses, and that at this point these expenses are just estimates until firm figures can be compiled.

Mayor Tierney inquired on the construction timeline. Konkol indicated that building demolition will begin within the next month, with construction completed and occupancy of the new buildings by April, 2017. Konkol also indicated Findorf Construction will have a temporary construction office, on site, to assist neighboring businesses and others with questions and issues. Flyers will also be going out to area businesses apprising them of this.

Mr. Chester inquired as to whether the project's construction would impact his NAPA store's customer, employee, and delivery parking.

Ms. Roberts inquired as to whether the construction would impact access to Shadel Automotive's dock doors

Mr. Boettcher responded by stating that water main lateral and repavement work will temporarily impact traffic and parking lot access during one day, but there will be nothing more permanent impacting parking.

Supervisor Konkol indicated that 'customer parking' signs can be put up by the County to assist with NAPA parking, during construction.

Motion by Tofson, second by Redelings, to approve the Columbia County Gateway Project site plan as submitted, with signage to be approved as the Plan Commission sees fit. Motion passed 5-0 with Tierney, Redelings, Bauman, Tofson, and Charles voting Yes. Zirbes abstained.

6. Discussion and possible action on Conditional Use permit for a 'large development'(Columbia County Gateway Project); 111 E. Mullet Street and 112 E. Edgewater Street.

Director Sobiek indicated Columbia County submitted a 'large development' questionnaire that satisfied the Code requirements to consider in approving a large development.

Supervisor Konkol thanked the City and Plan Commission for its assistance and continued cooperation in making the County's Gateway project a reality.

County Board Chair Grove indicated exciting times are ahead for Portage as a result of this project.

Supervisor Konkol stated that the County will work with individual businesses relative to day to day construction issues in the vicinity. He indicated the County will be back before the Plan Commission in 2016 relative to signage and for the Court House remodel phase.

Motion by Tierney, second by Redelings, to approve the Conditional Use permit for a 'large development' (Columbia County Gateway project); 111 E. Mullet Street and 112 E. Edgewater Street. Motion passed 5-0 with Tierney, Redelings, Charles, Tofson, and Bauman voting Yes. Zirbes abstained.

7. Discussion and possible action on CSM for the S&L Properties LLC, 2725 & 2733 New Pinery Road; parcels 3092.01 and 3092.02.

Director Redelings reported that this CSM will facilitate the planned expansion of the current Culvers restaurant at this location.

Brad Boettcher, General Engineering, indicated the CSM splits the current parcel into two parcels. The Culvers development team will be back before the Commission for the street vacation and another possible CSM approval.

Chad Stephenson, representing S&L Properties, indicated the remodel of the Culvers Restaurant will benefit both the City and the area. He also

indicated the current parcel's owners, the Bennetts, are in favor of the CSM. The applicant will record the CSM with the sale of the property.

Tofson expressed concerns about on whether the Culver's expansion will be properly vetted.

Mayor Tierney confirmed that the timeline of the street vacation will be before the Plan Commission in either January or February, and that another CSM relative to this expansion will be before the Commission in March.

Motion by Charles, second by Zirbes, to approve the CSM for S&L Properties LLC, 2725 & 2733 New Pinery Road, parcels 3092.01 and 3092.02. Motion passed 6-0, with Tierney, Redelings, Charles, Tofson, Zirbes and Bauman voting Yes.

8. Discussion and possible action on CSM for the John and Rosemary Dreyer property; parcels 2461.B & 2461.C; 2615 Hamilton Street.

Scott Hewitt, Grothman and Associates, stated that the Dryers are requesting this CSM to give the vacant lot more square footage. Moving the common line with Lot 1 where the Dryer home sits would accomplish this.

Director Redelings questioned the feasibility of creating a peninsula jutting out of Lot 2 and whether the Dryer's wanted this.

Zirbes suggested the new land peninsula could be donated to the adjoining landowner.

Motion by Tofson, second by Charles to approve the CSM for the John and Rosemary Dryer property; parcels 2461.B and 2461.C; 2615 Hamilton Street. Motion passed 6-0 with Tierney, Redelings, Charles, Tofson, Zirbes and Bauman voting Yes.

9. Discussion and possible action on CSM for Daughters of the American Revolution/Tessmann property; parcel 96 at 1616 E. Hwy 33.

Director Redelings reported that this CSM is needed to cleanup a stray parcel on the westside of the Fox River as a result of the Fox River being rechanneled in 1931, creating a remnant from the original Tessmann house. Lot 1 of the Tessmann property was settled by quiet title action.

Motion by Zirbes, second by Redelings to approve the CSM of the Daughters of the American Revolution/Tessmann property; parcel 96 at 1616 E. Hwy 33. Motion passed 6-0 with Tierney, Redelings, Charles, Tofson, Zirbes and Bauman voting Yes.

10. Update on FEMA Communication regarding FIS map panels.

Director Redelings reported that FEMA has notified the City that it has six months to revise its FEMA FIS map panels in order for the City to be eligible for the federal flood insurance program. This issue will be placed on the Commission's agenda in early 2016 for action in this regard.

11. Adjournment

Motion by Charles, second by Redelings, to adjourn. Motion passed 6 to 0 on call of the roll. Tierney, Redelings, Charles, Tofson, Zirbes, and Bauman voted yes.

The meeting concluded at 7:36 p.m.

Respectfully submitted

Steven Sobiek,
Director, Business Development and Planning