

**CITY OF WAUPACA
CITY PLAN COMMISSION**

**REGULAR MEETING
COUNCIL CHAMBERS, CITY HALL**

**WEDNESDAY MARCH 2, 2022
5:15 P.M.**

1. ROLL CALL

Present: Mayor Brian Smith, Commissioners Ald. Eric Olson, Pat Phair, Ald. Alan Kjelland and Justin Berrens, Public Works Director

Absent: Angela LeSage and Ivan Wayne (both excused)

Others Present: Jarod Rachu, Community and Economic Development Director, Carol Killy and Representatives of Wisconsin Public Service Corporation and American Transmission Company, LLC

2. APPROVAL OF AGENDA

MOVED by Ald. Kjelland **SECONDED** by Ald. Olson to **APPROVE** the Agenda as amended with handout. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

**3. APPROVAL OF PLAN COMMISSION FEBRUARY 2, 2022 PUBLIC HEARING
AND MEETING MINUTES**

MOVED by Comm. Phair **SECONDED** by Ald. Olson to **APPROVE** the Plan Commission February 2, 2022 Public Hearing and Meeting Minutes. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

**4. SITE PLAN REVIEW / WISCONSIN PUBLIC SERVICE CORPORATION,
OWNER, AMERICAN TRANSMISSION COMPANY LLC, APPLICANT, 440
RIVER STREET**

Community and Economic Development Director Jarod Rachu explained that Wisconsin Public Service Corporation, owner, American Transmission Company, LLC, applicant, has made application to the City requesting a Site Plan approval for property located at 440 River Street. Upon review, staff has concluded to recommend approval of the Site Plan subject to the following conditions:

1. Exterior lighting shall be designed, located, or shielded so as to ensure no spillover onto an adjoining parcel.
2. Construction and installation of any of the proposed elements shall not commence prior to the review and approval of all necessary permits.
3. The development shall comply with all building code requirements.
4. The Conditional Use shall be operated and maintained compliant with the requirements of the authorized Site Plan.
5. The applicant shall complete and receive approval of all other zoning permits and building permits for this Conditional Use permit to remain valid.
6. Any substantive change in the use of the leased area shall require an amendment to the authorized Conditional use Permit.
7. This development shall not destroy natural or manmade resources.

8. This development shall protect areas that are not adequately drained, or which are subject to periodic or potential flooding.
9. This development shall not deplete or destroy irreplaceable resources.
10. This development shall not otherwise be incompatible with public welfare.

MOVED by Comm. Phair, **SECONDED** by Ald. Olson to **APPROVE** the Site Plan for Wisconsin Public Service Corporation, Owner, American Transmission Company, LLC, Applicant for property located at 440 River Street, subject to the stated conditions. 4 ayes, 0 nays, 2 absent, 1 abstain, (Ald. Alan Kjelland).

MOTION CARRIED on a voice vote.

5. SITE PLAN REVIEW / CAROL A. HUTCHINSON KILLY, ET AL, 822 BARTLETT STREET

Community and Economic Development Director Jarod Rachu explained that Carol A. Hutchinson Killy, et al, has made application to the city requesting a Site Plan for property located at 822 Bartlett Street, upon review, staff has concluded to recommend approval of the Site Plan subject to the following conditions:

1. Approval of this site plan is contingent on the approval of a conditional use permit for Outdoor Storage at 822 Bartlett Street.
2. All noted site plan conditions are in addition to all noted conditional use permit conditions.
3. All off-street parking areas shall be graded and surfaced so as to be dust-free and properly drained. Any parking area for more than five vehicles shall have the aisles and spaces clearly marked. The requirement shall be completed within one year of site plan approval.
4. It shall be required that parking area buffers be planted on the parcel within one year of site plan approval. The applicant shall be required to provide an updated landscaping plan with the addition of this buffer landscaping.
5. Outdoor storage areas (both direct outdoor storage and the storage of materials in refer trailers) shall be located on a paved surface and shall be properly screened within one year of site plan approval.
6. Landscaping shall be completed in a manner that ensures the property complies with the 25% open space requirement and street frontage tree-planting requirement.
7. All vegetation shall remain in a living state and shall be replaced within the same year if a living state is not maintained.
8. It shall be required that all building code requirements are met for use to operate.
9. The property owner shall be required to screen any refuse completely from the view of public streets. Approval of a fence permit shall be required before any fence is erected.
10. All outdoor lighting shall be shielded and shall not extend outside of this property's lot lines or cause any disruption to public or vehicular safety.
11. Snow removal will be required for this property. Any piling of snow shall not cause any disruption or affect public health, safety or well-being, or vehicle safety. Upon discretion of the City, any piled snow may be required to be removed from the site.
12. Any amendments or additions to this site shall require a site plan permit.
13. Any changes in use shall require a Change in Use Site Plan.
14. All requirements of this site plan shall be maintained at all times.

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MOVED by Ald. Kjelland, **SECONDED** by Comm. Phair to **APPROVE** Site Plan for Carol Hutchinson Killy for property located at 822 Bartlett Street, subject to the stated conditions. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

6. ORDINANCE NO. 05-2022 / CHAPTER 17 MIXED USE, ROW HOUSE, TOWNHOUSE

Jarod Rachu, Community and Economic Development Director said that this Ordinance changes the permitted uses and conditional uses defining dwelling, single-family dwelling attached, zero lot line, live/work unit, row house, town house and upper story residential units.

MOVED by Ald. Kjelland, **SECONDED** by Ald. Olson to **APPROVE AND RECOMMEND TO COUNCIL** Ordinance No. 05-2022, Chapter 17 Mixed Use, Row House, Townhouse. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

7. ORDINANCE NO. 06-2022 / CHAPTER 17.902(212) TRANSITORY ACCESSORY STRUCTURE DEFINITION

Jarod Rachu, Community and Economic Development Director said that Ordinance No. 06-2022 defines Transitory Accessory Structure as an intermediate accessory structure (not temporary but not permanent) that includes structures such as: pergolas (not including decks); trellises; fences and walls; towers; personal energy systems; children's playhouses, play apparatus, swing sets, sand boxes, and the like; raised bed gardens; dog enclosures; swimming or wading pools with a maximum wall height of 24 inches that will be stored seasonally; and other structures deemed to be substantially the same by the Plan Commission or the Zoning Administrator.

MOVED by Ald. Olson, **SECONDED** by Comm. Phair to **APPROVE AND RECOMMEND TO COUNCIL** Ordinance No. 06-2022 / Chapter 17.902(212) Transitory Accessory Structure Definition. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

8. ORDINANCE NO. 07-2022 / CHAPTER 17.318 SITE PLAN REVIEW

Community and Economic Development Director Jarod Rachu said that Ordinance No. 07-2022 cleans up the current site plan review process and defines items that need City Plan Commission approval versus staff approval.

MOVED by Ald. Kjelland, **SECONDED** by Comm. Phair to **APPROVE AND RECOMMEND TO COUNCIL** Ordinance No. 07-2022 / Chapter 17.318 Site Plan review. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

9. DISCUSSION ITEMS:

**a. QUESTION / DIRECTION FROM RUBY’S PANTRY ON PAST APPROVED
CONDITIONAL USE PERMIT (CUP)**

Jarod Rachu, Community and Economic Development Director explained that Council had previously approved a Conditional Use Permit (CUP) for Ruby’s Pantry and recently another business asked Ruby’s Pantry if they could utilize a portion of their building. Staff reviewed this request and determined that Ruby’s Pantry CUP was currently in a 6-month probationary period that was under review. After discussion, the City Plan Commission felt it was best to wait until the probationary period had ended prior to approving their request.

**b. DISCUSSION ON ELIMINATION OF THE EGD AND LANDSCAPING
REQUIREMENT**

Jarod Rachu, Community and Economic Development Director said that staff has been in discussion regarding eliminating the East Gateway Design District (EGD) that specifically affects the Waupaca Municipal Airport. One of the EGD requirements that deters new business is specific earth tone building colors and the requirement to add masonry to the bottom of the building, which adds additional expenses to new construction. Mr. Rachu will bring this back to the commission in an ordinance form.

c. DISCUSSION ON SIGNAGE

Community and Economic Development Director Jarod Rachu provided a riveting description of the current sign standards and proposed changes.

**10. REPORTS: INTERNAL SITE PLAN REVIEW REPORT / FEBRUARY 2022
PERMIT REPORT / CODE ENFORCEMENT STATUS REPORTS /
DEVELOPMENT UPDATES**

- Internal Site Plan Review Report – informational
- February 2022 Permit Report – informational
- Code Enforcement Status Reports – informational
- Development Update – informational

Jarod Rachu reminded the commission that the April meeting was set for Wednesday April 6, 2022. However, with the Spring Election held on Tuesday April 5, 2022, the Council has rescheduled their meeting for Wednesday April 6, 2022; he asked if the board would agree to change their April meeting to *Tuesday April 5, 2022* so they do not conflict with the Council meeting. The commission agreed to the change.

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11. ADJOURNMENT

MOVED by Comm. Phair, **SECONDED** by Ald. Olson, to **ADJOURN** the March 2, 2022 Regular City Plan Commission Meeting. 5 ayes, 0 nays, 2 absent. **MOTION CARRIED** on a voice vote.

The meeting adjourned at 6:42 p.m.

Mayor Brian Smith

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