

**MINUTES OF THE PLANNING COMMISSION MEETING
HELD SEPTEMBER 25, 2018, 6:00 PM**

Planning Commission Members Present: Mayor Ken Tutaj, Alderman Steve Wattawa, Commission Members Eric Stemwell, Tim Niemiec, Charles Buechel, and Tom Kiepczynski.

Planning Commission Members Excused: Darin Frerichs.

Also present: City Administrator Mark Johnsrud, City Engineer/Director of Public Works Melinda Dejewski; City Attorney Paul Alexy, and representing Campbell Capital Group Paul McIlheran of RA Smith.

1. Call to Order

The meeting was called to order by Mayor Tutaj at 6:00 PM.

2. Minute Approval

A motion was made by Commissioner Buechel, seconded by Commissioner Kiepczynski to approve the minutes of the September 12, 2018 meeting. Motion carried.

3. Correspondence

None.

4. Discussion and Possible Action

A motion was made by Alderman Wattawa, seconded by Commissioner Buechel to suspend the agenda and move to Item 4B on the agenda. Motion carried.

B. Special Use Permit Application – 2227 E. St. Francis Avenue from R-3 to B-1 SU, Lester Billodeau

Alderman Wattawa stated that the premise and owner lost the licenses to operate due to several instances of drug related activities on the premise. The owner has again come forward and indicated that he will be leasing the building to a completely separate entity. He is viewing the property as a legacy that he wants to pass on to his family. He will use the funds from the lease to help him retire out of the area.

Mayor Tutaj stated that since the property has been vacant for over 12 months, the legal, non-conforming status has expired. Any new business in the building requires a rezoning for a special use under the business zoning district.

There was discussion regarding the terms of the of the licenses as well as the conditions for the special use. City Attorney Alexy stated that the special use must have objective conditions. The licenses granted by the City for alcohol have more discretion as to conditions. It was indicated that there is a statement in writing that the owner is not related nor will there be any relationship to the leaser except for the lease itself.

A motion was made by Alderman Wattawa, seconded by Commissioner Stemwell to recommend to the Common Council to approve the change of zoning for 2227 E. St. Francis Avenue from R-3 to B-1 Special Use contingent upon the issuance of the required alcohol licenses being obtained and maintained for the premises from the City of St. Francis pursuant to State Statute 125 and in compliance with all written submissions to date with the provision that if the license cannot be maintained, the Special Use permit is revoked and to direct the City Clerk to set the public hearing date. Motion carried.

A motion was made by Alderman Wattawa, seconded by Commissioner Kiepczynski to suspend the agenda and move to Item 4C on the agenda. Motion carried.

C. Amendment to City of St. Francis Zoning Code, Chapter 455-48, Special Use Review and Approval

City Attorney Alexy reviewed the process for amending the special use section of the zoning code. There was discussion on how to move forward with the process and what needs to be brought before the Planning Commission for review. It was requested that staff bring forward their proposed amendments to the special use section of the zoning code and the proposed revision to the occupancy permit to a future meeting for the Commission to review and discuss. There was no action taken on this item.

A. Initial PUD Application – 4200 S. Lake Drive. Campbell Capital Group, LLC (referred from September 12, 2018)

Mr. McIlheran stated that there had been some refinements based upon the comments at the previous meeting. The developer was able to make 2 areas of the building 2 stories which allows for additional views through the building. The number of units were not reduced. There was discussion on the building unit mix and the view corridors. The Commission agreed with the concept.

A motion was made by Alderman Wattawa, seconded by Commissioner Stemwell to recommend to approve the Initial PUD Application for 4200 S. Lake Drive and to direct the City Clerk to set the public hearing. Motion carried.

5. Adjourn

A motion was made by Alderman Wattawa, seconded by Commissioner Kiepczynski to adjourn. Motion carried. Meeting adjourned at 6:51pm.