



Plan Commission Minutes
May 17, 2021 at 7:00 p.m.
City Hall Council Chambers &
Virtual Online – WebEx Meeting

Members Present: Ms. Christopherson, Obaid and Dr. Wolfgram
Messrs. Granlund, Seymour, Gragert, and Erickson

Staff Present: Messrs. Allen, Petrie, Hoffer, Noel, and Wittwer

1. Call to Order
2. Roll Call – Chairperson Mr. Granlund called the roll for the meeting. Mr. Seymour, Mr. Erickson, Mr. Gragert, and Ms. Christopherson were present in the Council Chambers. Ms. Obaid and Dr. Wolfgram were present virtually online.

3. Mr. Seymour moved to approve the May 3rd minutes. Ms. Christopherson seconded and the motion carried.

4. Open public comment period for items that do not appear on this agenda noted as public hearings. None.

5. Postponed from May 3, 2021 meeting
Site Plan (SP-2015 Amd) – 1566 Ball Street

Mr. Allen presented a site plan amendment for a property located at 1566 Ball Street. This agenda item was postponed by the Plan Commission at their May 3rd meeting. He noted a revision within the site plan and floor plan for the proposed development.

Applicant Nick Semling spoke about the proposed development and layout of the building to meet all building codes. He noted the revision to allow for more bedroom privacy and an additional entrance/exit for the tenant.

Mr. Seymour moved approval of the site plan with staff conditions. Mr. Gragert seconded and the motion carried.

6. Rezoning (Z-1692-21) – R-1A & R-1 to R-1P
Site Plan (SP-2116) – Saving Grace Lutheran Church

Mr. Allen presented a rezoning request from R-1A & R-1 to R-1P with a general development plan with a site plan for Saving Grace Lutheran Church located on 3735 Jeffers Road. He noted the parcel had two different zonings and noted the site plan showing the proposed church.

Scott Cerveny with Advanced Engineering Concepts spoke about the pedestrian connection from the building to Jeffers Road.

Charles Cedarblade with Saving Grace Lutheran Church will reach out to the neighborhood about the existing trees and have a discussion with them.

Mr. Seymour moved to recommend approval of the rezoning with the site plan. Mr. Erickson seconded and the motion carried.

7. Conditional Use Permit (CZ-2109) – Single-family Home

Mr. Petrie presented a conditional use permit located south of 28 Newton Street for a single-family home within a R-4 zoning district. The applicant had the option to submit a conditional use permit within a R-4 zoning district or a rezoning request from R-4 to R-1 zoning. The applicant decided to submit a conditional use permit for the proposed land use of a single-family home. The existing property is approximately 1.07 acres and is zoned R-4 district. The proposed home will be approximately 30 feet from Wilcox Street, 8 feet of the sides and 75 from OHWM.

The proposed lot would be created with a certified survey map and approved by staff. The proposed single-family home is approximately 2,200 square foot in size.

Applicants, Anton Smets and Rae Schilling, owners of 28 Newton Street presented information about why they wanted to build a new single-family home. Mr. Smets noted that the street right-of-way was for a future street and the storm sewer created easement restrictions about 10 years ago. Mr. Smets noted the meeting with the Third Ward Neighborhood Association and the surrounding neighbors.

Dan Gustafson, with Gustafson Law Office LLC, an attorney for the surrounding neighbors opposing the proposed conditional use permit noting that the proposed single-family home is not consistent with the comprehensive plan and should be denied the conditional use permit as submitted. He noted the commission should find that the application is not in compliance with item G of the conditional use permit standards as noted in the Zoning Ordinance. In addition, he noted Chapter 8 within the Comprehensive Plan and about garages facing the street, limiting the automobile design within the neighborhoods and protecting special places within infill and redevelopment of established neighborhoods.

Margaret Ott, 204 Gilbert Avenue, spoke about environmental concerns along the Chippewa River and concerns about the impact of the new single-family home in the established neighborhood.

Lisa Aspenson, 104 Wilcox Street, commented on the negative impact of the proposed new single-family home. She noted the impacts of losing the existing old trees on the site located near their existing home.

Kevin Rosenberg, chairperson of the Third Ward Neighborhood Association, spoke about the protection of the neighborhood and does not think the property should be allowed. He noted the neighborhood discussion in April and recommended all the neighbors speak about the proposed project. In May, the neighborhood association voted to deny the request for the conditional use permit.

Bobbi Jo Toy, 914 Porter Avenue, noted concerns about the proposed single-family home and does not support infill development within the neighborhood, but rather this should remain open space.

Chris and Sara Meeks, 32 Newton Street, spoke in opposition of the request and thought it should be open space. They noted concerns about the new houses built and the particular impact of losing the large lots within the adjacent area.

Mr. Hoffer noted that the Plan Commission will need to find evidence to support or to deny the conditional use permit and within the statutory standards of the zoning ordinance in regards to conditional use permits.

Mr. Seymour moved to approve the conditional use permit with the findings as noted below. Ms. Christopherson seconded and the motion failed (1-6). The Plan Commission findings of fact as noted as below:

- Based on the substantial evidence provided, the proposed conditional use permit was not consistent with the purpose of the relevant City of Eau Claire code of ordinances because the conditional use permit is inconsistent with the Comprehensive Plan and the Third Ward neighborhood plan.

- The design is not compatible with the nearby homes single-family homes because the garage is front-facing and lacks a porch – should be redesigned to meet the Third Ward neighborhood plan and the Comprehensive Plan.
 - The Third Ward Neighborhood Association recommended denial to the Plan Commission based on similar findings.
8. Discussion of Land Use Development Carbon Impacts Calculator. Mr. Noel presented an update about the land use calculation and provided an example of the development project. Major site plans and major subdivisions would be a start to the use of the calculator, with a six-month trial period to commence July 1.
9. Future Agenda Items and Announcements. Mr. Allen clarified the upcoming meeting schedule, with the next two meetings scheduled for June 14 and July 6.

Mr. Granlund adjourned the meeting at 10:05 p.m.



Zina Obaid, Secretary