

Plan Commission Meeting Minutes
Monday, October 9, 2023 at 6:00 pm
Hybrid Meeting

Members Present: Mayor Swadley, Chair; Brett Schumacher; Dorann Bradford; Tom Robinson; Phil Caravello, Vice-Chair; Tom Majewski and Al Farrow

Members Absent: None

Staff: Director of Planning & Development, Rodney Scheel; Michael Stacey, Zoning Administrator

Guests: Daniele Thompson; Lisa Mensink; Amber Cederstrom; Marcus Cederstrom; Adrienne Nienow; Tyler Denig; Ashley Kirch; Ashlie Severson; Troy Mleziva; Gary Becker; Katrina Becker; Andre Rosteing; Connor Nett; Drew Martin; Maclain Schramm; Mike Klinzing; Attorney Matt Dregne; Austen Conrad; Areal Gunther; Bob Krueger; Dr. Dan Keyser and Gabrielle Ballard.

1. **Call to Order.** Mayor Swadley called the meeting to order at 6:00 pm.
2. **Roll call and verification of quorum.** Mayor Swadley verified a quorum is present.
3. **Certification and compliance with open meetings law.** Mayor Swadley certified compliance with open meetings law.
4. **Plan Commission meeting minutes of September 11, 2023.**
Motion by **Caravello** to approve the minutes as presented, 2nd by **Bradford**. Motion carried unanimously.
5. **Council Representative Report.**
Caravello reported the Common Council approved Ordinances 26 and 27 of 2023 and Resolutions 136, 138, 146 and 151-155 of 2023.
6. **Status of Current Developments.**
Scheel introduced the status of developments as outlined in the packet of materials. There were no questions.
7. **Zoning Ordinance Amendment Request for Section 78-206(4)(g) related to In-Vehicle Sales and Service uses.**
Scheel introduced the request.

Attorney Matt Dregne explained the procedure as outlined in the zoning ordinance.

Mayor Swadley opened the public hearing.

The following individuals spoke in favor of the request:

Amber Cederstrom

Marcus Cederstrom
Adrienne Nienow
Areal Gunther
Tyler Denig
Bob Krueger

Mayor Swadley closed the public hearing.

Farrow questioned how the in-vehicle sales and service use is treated as an accessory use. Attorney Dregne explained that many in-vehicle sales and service uses are accessory to another use. Stacey stated that accessory in-vehicle sales and service uses are treated the same as if they were principle uses. Attorney Dregne stated that in-vehicle sales and service uses whether accessory or principle uses are allowed as conditional uses.

Attorney Dregne made some clarifications from the public hearing testimony as follows:

This request is the only time Attorney Dregne and City Staff can recall that a request has been made by a group of individuals to amend the zoning code which prompted Attorney Dregne's involvement.

Attorney Dregne stated the Plan Commission can take into account scientific evidence but it must be substantial evidence.

Mayor Swadley stated that Attorney Dregne has recommended the City amend several sections of the zoning code including the conditional use language. The City will budget to update the Comprehensive Plan in 2025 and follow that up with a rewrite of the zoning ordinance.

Caravello appreciates the effort to provide all of this information.

Mayor Swadley has concerns about the information provided and gave examples of studies provided which are not conclusive. Mayor Swadley stated that if the studies were conclusive there would be class action lawsuits and County or Statewide regulations for these types of uses.

Majewski stated the same could be said for any particular parking lot and questioned whether a parking lot should be 100 feet from any building.

Schumacher reported he went through all of the related documents provided and indicated most of the documents are lackluster, outdated and not sound scientific evidence. Schumacher reported he is a 30-year bench scientist. Schumacher stated he would like to review any scientific evidence that can be provided relative to this request.

Bradford appreciates the passion but agrees with Mayor Swadley and Schumacher.

Farrow, who is a civil engineer, questioned if a reasonable person could make a determination about the provided information. Attorney Dregne stated the reasonable person is a reference from the conditional use process, this request to amend the zoning code allows more discretion for making policy.

Schumacher questioned the number of existing in-vehicle sales and services uses provided in the Attorney/Staff review. Stacey stated there is a total number for all existing uses and of those 7 are fueling stations.

Dregne stated the Plan Commission has 60 days to make a decision on the request.

Caravello asked if the rules could be waived to allow more testimony tonight. Attorney Dregne stated it would be better to have another public hearing next month.

Bradford stated the proposed ordinance amendment as a whole goes too far.

Attorney Dregne stated the Plan Commission can recommend approval, denial or postpone to a later date.

Attorney Dregne recommends any new information be provided to Stacey instead of directly to a Plan Commissioner.

Motion by **Bradford** to postpone this agenda item until next month to allow further discussion, 2nd by **Schumacher**.

Caravello made a motion to amend the motion to include a public hearing. There was no second.

Motion carried 5 – 2 (Caravello and Robinson voted no)

8. Conditional use request for a Bed and Breakfast use at 217-219 S. Fourth Street.

Scheel explained the request.

Farrow stated parking is not a requirement for this request. Scheel stated that is correct.

Mayor Swadley opened the public hearing.

Lisa Mensink spoke in favor

Mike Klinzing spoke in favor

Mayor Swadley closed the public hearing.

Schumacher asked what the existing business is and would that run simultaneously with the bed and breakfast. Ashley Kirch stated it is a resale store which would be primarily replaced by the bed and breakfast.

Motion by **Robinson** to recommend Common Council approval of the conditional use permit as requested, 2nd by **Bradford**. Motion carried unanimously.

9. Conditional use request for a Personal and Professional Service use (tattoo parlor) at 529 E. Main Street.

Scheel gave an overview of the request and noted the applicant will need to work with the adjacent property owner for a parking agreement.

Mayor Swadley opened the public hearing.

Gabrielle Ballard, who is part owner of the tattoo business, spoke in favor of the request.

Mayor Swadley closed the public hearing.

Schumacher questioned if the use is in the front portion of the building. Stacey stated yes.

Caravello questioned the parking requirements. Scheel explained the code requirement and condition within the resolution.

Motion by **Bradford** to recommend Common Council approval the conditional use permit as presented, 2nd by **Caravello**. Motion carried unanimously.

10. Site plan review for a multi-family residential project at 2605 Cromwell Court.

Connor Nett provided an overview of the site plan including the addition of native plantings and sidewalk connection to the commercial center as requested by the Common Council.

Bradford likes the final product.

Schumacher likes the plantings and quality of trees.

Scheel noted the parkland requirement as a condition of approval.

Majewski questioned the location of the sidewalk connection to the commercial center that connects to the TRU Hilton parking lot. Majewski suggested the sidewalk be located between the Aldi site and TRU Hilton site. Connor Nett stated that due to the elevation and amount of grading required, they settled on the proposed location. Scheel also noted there are utility easements to consider between the properties.

Motion by **Bradford** to approve the site plan as presented, 2nd by **Farrow**. Motion carried unanimously.

11. Site plan review for the Stoughton Trailers Headquarters at 1800 Greenbriar Drive.

Scheel provided an overview of the request.

Austen Conrad gave an overview of the site plan and building, noting that trash will be screened and external of the building. There will also be two monument signs instead of one.

Scheel stated the request is contingent on the CSM being recorded and a development agreement.

Majewski questioned the parking lot stall count and landscaping coverage. Scheel stated the number of parking stalls is determined by building square footage. Stacey noted the parking stalls had to be reduced to meet code maximum parking stall requirements.

The applicant gave an overview of the landscaping plan.

Majewski stated he would like to see more shade coverage and plans to amend the code to in the future for 60% shade coverage.

Motion by **Farrow** to approve the site plan as presented, 2nd by **Bradford**. Motion carried unanimously.

12. Site plan review for building demolitions, new gym and district administration building entrance additions including parking expansion for Stoughton Area School District at 235 N. Forrest Street.

Dr. Dan Keyser introduced the project and development team.

Andre Rosteing gave an overview of the project.

Schumacher questioned the timeline of the project. Dr. Dan Keyser and Andre Rosteing explained the intent to break ground between Jan and March 2024 with project completion in Jan 2025.

Scheel stated there is a request within the application to widen the drive access at Fifth Street and is included in the resolution as part of the approval.

Farrow suggested limiting the shrubs near the gym exit for safety reasons. Maclain Schramm stated they will bring that back to the team for discussion.

Schumacher discussed the historic drainage issues with the site.

Motion by **Bradford** to approve the site plan as presented, 2nd by **Schumacher**. Motion carried unanimously.

13. Future agenda items.

Preliminary condo plat for Stoughton Hospital in December.

Final plat for lot 6 at 51 West Subdivision.

Solar array at United Methodist Church.

Yahara School demo and maintenance building site plan.

14. Adjournment.

Motion by Caravello to adjourn at 8:10 pm, 2nd by Bradford. Motion carried unanimously.

Respectfully Submitted,

Michael P. Stacey