Plan Commission Meeting Minutes
Monday, September 14th, 2020 at 6:00 pm
Virtual Meeting

Members Present: Mayor Tim Swadley, Chair; Todd Barman; Phil Caravello; Tom Majewski; Tom Robinson; Tom Selsor; and Brett Schumacher
Members Absent: None
Staff: Michael Stacey, Zoning Administrator and Rodney Scheel, Director of Planning and Development
Press: None
Guests: Jim Lutz; Jim Bandt; Peter Fortlage; Mark Kruser; Joseph Baird; Kevin Yeska; Tim Miller; Gary Blazek; Kelli Bialkowski; Deirdre Bouzek; Michael Chandler; Jason Chandler; Eric Urtes; Steve Richards; Steve Hanrahan; Taylor Drye; Steve Richards; Jan Tetzlaff; Micah MacDonald; Joe Werns

1. **Call to order.** Mayor Swadley called the meeting to order at 6:00 pm.

2. **Consider approval of the Plan Commission meeting minutes of August 10 and 25, 2020.**
   Motion by **Schumacher** to approve the minutes as presented, 2nd by **Caravello**. Motion carried unanimously.

   Majewski arrived at 6:04 pm.

3. **Council Representative Report.**
   Caravello stated the Common Council approved an zoning amendment for substandard/non-conforming lots and had a first reading for an ordinance amendment which is on tonight's agenda.

4. **Staff Report - Status of Current Developments.**
   Scheel gave an overview of the current status of developments as outlined in the packet of materials. There were no questions.

5. **Request by Habitat for Humanity to resurvey the properties at 1114, 1115, 1122 and 1123 Abel Court.**
   Scheel explained the request.

   Schumacher questioned the zoning/future use of the two lots on the west end of Abel Court. Gary Blazek stated the zoning is MR-10 Multi-Family Residential. Steve Hanrahan noted that Habitat for Humanity does not own the end lots. Schumacher questioned the future uses to gauge what future traffic may be coming out of Abel Court.

   Motion by **Schumacher** to recommend the Common Council approve the resolution to resurvey the properties as presented, 2nd by **Robinson**. Motion carried unanimously.

6. **Request by Habitat for Humanity to rezone the properties at 1114 and 1115 Abel Court from SR-4 Single Family Residential to TR-6 Two Family Residential.**
   Scheel explained the amendment.

   Barman questioned the number of units per lot. Scheel explained the TR-6 Two Family Residential District allows a duplex lot to be split to create a twin home or zero lot line structure.

Mayor Swadley opened the public hearing.

Joe Werns spoke with concern about people crossing the property into his property. Steve Hanrahan stated that Habitat for Humanity does not own the two west lot which is where it would make sense to have some sort of barrier to prevent crossings. Steve Hanrahan indicated they would consider the issue and is willing to discuss concerns with neighbors. Gary Blazek of Vierbicher is working with Habitat suggested the new street with sidewalks should provide a route for people migrating through the development area.

A resident of 126 Lincoln Avenue representing David Olson also spoke with concern about people cutting through yards and would like to see fencing put up to prevent crossings.

Mayor Swadley closed the public hearing.

Steve Hanrahan stated Habitat for Humanity will be sending letters to area neighbors for a future meeting to discuss their plans.

Motion by **Schumacher** to recommend the Common Council approve the ordinance to rezone the properties as presented, 2nd by **Caravello**. Motion carried unanimously.

7. **Proposed Zoning Ordinance Amendment to Section 78-206(7)(a), Light Industrial Land Use.**
Scheel explained the zoning code amendment and noted the first reading was already at Council on September 8, 2020 with the second reading planned for September 22, 2020.

Mayor Swadley opened the public hearing.

No one spoke at the public hearing.

Mayor Swadley closed the public hearing.

Barman questioned what incidental means. Scheel stated ordinance section 78-206(8)(i) outlines regulations for the accessory use such as the 15% maximum area requirement. Scheel stated Attorney Dregne drafted the ordinance amendment.

Motion by **Barman** to recommend the Common Council approve the ordinance amendment as presented, 2nd by **Robinson**. Motion carried unanimously.

8. **Request by Joseph Baird of Mershon's Cidery for a conditional use permit for an indoor commercial entertainment use (tavern uses) and for light industrial activities incidental to indoor sales (Cider Manufacturing) at 124 W. Main Street.**
Scheel explained the request.

Barman questioned the percent of the building being used for cider production. Scheel believes only the production area would count towards the 15%, not storage areas.

Schumacher questioned if the fruit is pressed onsite or off-site. Baird stated 95% of the fruit is pressed off-site from the suppliers. The waste is sent to the Dane County compost site.

Mayor Swadley opened the public hearing.

No one spoke at the public hearing.

Mayor Swadley closed the public hearing.

Motion by **Schumacher** to recommend the Common Council approve the resolution for the conditional use permit as presented, 2nd by **Robinson**.

Schumacher questioned what is used to clean the equipment. Joseph Baird stated a product called One Step is used to clean in place.

Schumacher questioned water usage. Joseph Baird stated water usage is minimal.

Caravello asked if odors are detectible. Joseph Baird stated not usually but if a problem presents itself it can be rectified at the tank level.

Barman is concerned the 15% requirement will be a problem for the future of this use. Joseph Baird stated he anticipates increasing production by 50% over the next 2 years and stated it is not easy to increase production.

Motion carried unanimously.

9. Request by Lutz Brothers Investments, ABC Home Specialists, for a conditional use permit (Group Development (2 principal structures)) and site plan approval to construct a new building at 520 Business Park Circle.

Scheel explained the request and noted the Business Park North Committee recommends approval of the new building and site plan.

Mayor Swadley opened the public hearing.

Jim Bandt and Jim Lutz are available for questions.

Tim Miller asked what is planned for the site. Jim Lutz explained the new building will be for cold storage and nothing is built onsite. There will be no noise and everything will be kept neat and clean.

Mayor Swadley closed the public hearing.

Motion by **Caravello** to recommend the Common Council approve the resolution for the conditional use permit as presented, 2nd by **Barman**. Motion carried unanimously.

Scheel gave an overview of the site plan.

Barman questioned the cool straw gold color of the exterior wrap. Jim Lutz stated the color is more taupe than gold. Barman stated the color appears brighter than the existing office with the roof being green metal. Jim Lutz stated the roof is sloped to the rear. Barman suggested cool sierra tan color may be less bright and would allow the front building to stand out rather than the rear cold storage building. Jim Lutz stated he planned to put a new exterior on the existing building too at some point.

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

10. Request by Deirdre Bouzek for a conditional use permit for an indoor commercial entertainment use (youth theater group) at 318 Water Street.
Scheel explained the request.

Mayor Swadley opened the public hearing.

Deirdre Bouzek explained how the building would be used.

Barman likes the use and questioned the potential for future open air performances. Barman noted there is a building next door without a roof. Deirdre Bouzek stated she may consider purchasing the adjacent building in the future.

Mayor Swadley closed the public hearing.

Motion by **Schumacher** to recommend the Common Council approve the resolution for the conditional use permit as presented, 2nd by **Barman**. Motion carried unanimously.

11. Request by Michael Chandler, Farmers Insurance, for approval of new signage at 334 E. Main Street within the Downtown Design Overlay Zoning District.
Scheel explained the request.

Barman questioned the type of material the wall sign is made of. Michael Chandler stated it is all metal.

Motion by **Robinson** to approve the signage as presented, 2nd by **Caravello**.

Barman it would be nice to light the sign with an external fixture. Michael Chandler stated it is possible to internally light the sign. Barman stated an internally lit sign is non-conforming. Chandler stated there is no power or bulbs in the sign. Scheel stated compliance can be controlled at the permit level since a permit is necessary for electrical work.

Motion carried unanimously.

12. Request by Mark Kruser, OPN Architects for site plan approval of a building addition and parking lot expansion for the Dane County Sheriff's Office – SE Precinct at 125 Veterans Road.

Scheel explained the request.

Mark Kruser gave an overview of the site plan.

Schumacher questioned changes to the exterior lighting. Mark Kruser stated there will be all new lighting to dark sky standards.

Barman questioned if the exterior metal fasteners would be concealed. Mark Kruser stated they will be concealed.

Barman is not comfortable with the aesthetics of the exterior. Majewski agrees with Barman. Robinson stated it looks better than the existing building.

Mayor Swadley questioned what will happen if the WDOT does not allow the access to Hwy 51. Mark Kruser stated the site would remain the same without the access.

Mark Kruser discussed the reasoning for the proposed exterior finishes. Barman expressed his concern about the white color metal wrap and wood used under the windows and around the garage door.

Barman stated he is not really in favor of the access the Hwy 51 when the WDOT denied access across the street.

Barman is in favor of sidewalk along Veterans Road.

Majewski asked if solar was considered. Mark Kruser stated solar comes from a different County budget and he did not know if funds would be available for this project.

Mark Kruser stated the exterior is actually an off white, vertical, wood look.

Barman questioned if anyone else is concerned about the aesthetics and believes the sidewalk and vision triangles need to be part of the approval.

Caravello and Majewski both agree with Barman on aesthetics.

Motion by **Barman** to approve the site plan subject to a recommendation that the County reconsider the wrap aesthetic and exterior color, confirm that sidewalk shall be installed along Veterans Road, compliance with vision triangles be achieved and allow the emergency exit to Hwy 51 if approved by DOT, 2nd by **Schumacher**. The Commission is requesting the County provide a copy of DOT Appeal materials.

Mark Kruser questioned if they need to check with City staff on exterior finishes. Barman stated it is not a requirement rather a recommendation.

Majewski questioned how the City would monitor the emergency exit.
Barman stated horizontal exterior would be better than vertical.

Motion carried unanimously.

13. Request by Ben Menaker, JP Cullen for site plan approval to install an external nitrogen tank/system for Stoughton Trailers, 1111 Veterans Road.
Scheel explained the request.

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

14. Request by Robert Lange for extra-territorial jurisdictional approval for a land division (CSM) at County Highway N, Town of Dunkirk.
Scheel explained the request.

Motion by **Barman** to recommend the Common Council approve the resolution as presented, 2nd by **Robinson**. Motion carried unanimously.

15. Request by Jason Chandler for extra-territorial jurisdictional approval for a land division (CSM) at 1645 Lake Kegonsa Road and 3610 Rutland-Dunn Town Line Road, Town of Dunn.
Jason Chandler explained the request.

Motion by **Schumacher** to recommend the Common Council approve the resolution as presented, 2nd by **Caravello**. Motion carried unanimously.

16. Discuss Conceptual Plans for Dvorak's 51 North Subdivision.
Scheel gave an overview of the request.

Steve Tremlett gave an overview of the conceptual plans.

Bob Dvorak explained the intent behind the proposed uses stating there is 8 – 10 years left to complete Nordic Ridge and there is a need for multi-family residential.

Mayor Swadley explained the discussions that led to the proposed trail and connection to the existing trail system.

Caravello questioned access points to Hwy 51. Mayor Swadley explained that the Velkommen Way access to Hwy 51 would likely be eliminated.

Barman questioned the location of paved paths.

Mayor Swadley questioned Scheel on next steps. Scheel stated an urban service area amendment is necessary including the preliminary platting process, development agreements, etc.

17. Proposed Zoning Ordinance Amendment to Section 78-707 and 78-704, Commercial Exterior Lighting Standards.
Scheel explained the request.

Mayor Swadley opened the public hearing.

No one registered to speak.

Mayor Swadley closed the public hearing.

Scheel explained the changes will still control fugitive light leaving sites. Schumacher likes the changes.

Barman questioned if staff checks the lighting for compliance. Scheel stated we do have a light meter an in many cases changes have to be made to gain compliance.

Motion by **Barman** to recommend the Common Council approve the ordinance amendment as presented, 2nd by **Caravello**. Motion carried unanimously.

18. Future agenda items.
Zoning code amendments, Dvorak development and Sheriff's office info.

19. Adjournment.
Motion by **Robinson** to adjourn at 8:51 pm, seconded by **Caravello**. Motion carried unanimously.

Respectfully Submitted,

Michael P. Stacey