

Plan Commission Meeting Minutes
Monday, June 8, 2020 at 6:00 pm
Virtual Meeting

Members Present: Mayor Tim Swadley, Chair; Todd Barman, Vice-Chair; Phil Caravello; Brett Schumacher; and Tom Selsor

Members Absent: Tom Robinson and Tom Majewski

Staff: Michael Stacey, Zoning Administrator

Press: None

Guests: Tom Matson; Mark Rosenbaum; Charles Sweeney; Erik Olsen; Brad Fry; Troy Mleziva; Kevin Urso; Jim Hess; Joe Langmeier; Jerry and Barb Judd; Judy Rosenbaum; Robert Kluge; Scott Winter; Jerry Bourquin; Jean Ligocki; Brad Eneix; Lothar Straub; Rachel Snyder; Matt Dregne; and Teresa Schoenthal.

1. **Call to order.** Mayor Swadley called the meeting to order at 6:03 pm.
2. **Consider approval of the Plan Commission meeting minutes of May 11, 2020.**
Motion by **Selsor** to approve the minutes as presented, 2nd by **Schumacher**. Motion carried unanimously.
3. **Council Representative Report.** Caravello reported the Common Council approved the CSM for 1700 E. Main Street and the resolutions for the Kettle Park West Master Development Agreement and for subdivision improvements.
4. **Staff Report - Status of Current Developments.**
Stacey introduced the status of developments as outlined in the packet of materials. There were no questions.
5. **Request by Brad Fry, Kwik Trip for approval of a Conditional Use Permit and Site Plan to construct a new commercial building at 1700 E. Main Street.**
Mayor Swadley gave a summary of the request.

City Attorney Matt Dregne explained the Plan Commission has to review the site plan and decide how to proceed with the conditional use request that was sent back for further review by the Common Council.

Troy Mleziva of Kwik Trip explained the updates provided to meet the Plan Commission request as follows:

- A pedestrian path has been provided from the gas pumps to the store with a colored pavement markings.
- A sidewalk connection has been added from the public sidewalk along Hwy N and pavement markings are provided to the front of the store for safer pedestrian crossing.
- A second driveway access has been provided to the property to the east for customer access and an access is being granted from Cedarbrook Lane for Fastenal truck delivery access. A speed bump has been added east of the store and pumps in the original access easement for traffic calming.

Mayor Swadley thanked all parties for working to provide the requested information.

Barman stated he would rather see colored pavement with striping for the pedestrian path from the gas pumps to the store and would prefer the path to be wider. Troy Mleziva agreed to the colored pavement.

Barman stated the culvert connection at the stormwater pond in the southeast corner of the site looks like a good solution.

Attorney Erik Olsen representing the adjacent property owner summarized concerns about safety regarding the Fastenal truck access route. Attorney Erik Olsen was just hired so he is now reviewing all of the materials of the proposed project.

Caravello stated his main concern is about how a full size semi-truck can gain access to the Fastenal site.

Troy Mleziva explained how trucks delivering to Fastenal would maneuver the site.

Mayor Swadley questioned Attorney Dregne if the access easements and stormwater sharing is between property owners or something the Plan Commission needs to consider. Attorney Matt Dregne stated that due to the linkage between the properties, it will be difficult to review the site plan without considering how access is provided to the adjacent property.

Attorney Erik Olsen explained he is looking at all of the issues from the Judd's standpoint and they are willing to work through the access easement issues.

Troy Mleziva explained how the existing access easement works and how the new proposed access easements makes for a better situation for the adjacent property owner.

Attorney Matt Dregne stated the Plan Commission has requested the access easements be dependent on the adjacent property owner being in agreement so it may be necessary to table the request until that is all worked out.

Barman agreed the request should be postponed until the access easements are addressed. Barman questioned the timing of Fastenal deliveries. Mayor Swadley stated typically from 6-7am

Attorney Buck Sweeney representing the subject property owner stated the access easement is only for lot 2 and the proposed additional easements provide for better traffic flow.

Caravello stated there is no way of knowing the future uses and the potential for more truck deliveries at the adjacent property.

Attorney Matt Dregne stated the Commission may have to request more information to make a decision.

Caravello would like more information about traffic volumes on Cedarbrook Lane.

Teresa Schoenthal, 341 Stoney Ridge Trail stated she never received a notice of public hearing.

Caravello stated there should be a public comment period added to the agenda's in the future.

Attorney Buck Sweeney stated traffic will flow from Cedarbrook to Hwy N no matter what use is on the proposed lot.

Caravello would like to see traffic info for Hwy N. Mayor Swadley stated we have that info.

Barman questioned if it is the responsibility of an applicant like Kwik Trip to solve all the external traffic issues outside of their property, rather it seems like something the community needs to look at. Attorney Matt Dregne stated the Commission needs to determine that this project is driving the need for traffic improvements.

Caravello stated the need to have a traffic engineer study Cedarbrook and Hwy N.

Barman stated a study should have been requested a month ago not at this stage of the process.

Motion by **Barman** to table the request to allow time for the applicant and adjacent neighbor to come to an agreement on the access easements, 2nd by **Schumacher**.

Motion by **Caravello** to amend the motion to include a traffic engineering study to look at traffic safety including pedestrian and bike safety along Cedarbrook Lane and where it intersects with Highway N, 2nd by **Selsor**. Amendment carried 3-2 (Barman and Swadley voted no)

Original motion with the amendment carried unanimously.

6. Request by Kevin Urso to rezone the property at 117 Ashberry Lane from SR-4 Single Family Residential to TR-6 Two Family Residential.

Mayor Swadley introduced the request.

Kevin Urso explained the request and the signatures he acquired in favor of the rezoning.

Schumacher questioned why the Council denied this request last year. Mayor Swadley stated there was a complaint by a neighbor about the request not meeting the covenants for the lot.

Selsor stated 30 out of 40 property owners signed the petition and questioned if any refused because they were against the rezoning. Kevin Urso stated no one said they were against it. Either he could not get ahold of the property owner or they were just uncomfortable signing.

Mayor Swadley opened the public hearing

No one registered to speak.

Mayor Swadley closed the public hearing.

Motion by **Schumacher** to recommend the Common Council approve of the rezoning request as presented for 117 Ashberry Lane, 2nd by **Caravello**.

Schumacher stated having a two family zoning at this location is more consistent with neighboring properties.

Motion carried unanimously.

7. Request by Megan Bisbee, Viking Day Camp, for approval of a Conditional Use Permit (CUP) at 2125 McComb Road, Units 102-105 for a group daycare.

Mayor Swadley explained the request.

Caravello questioned if the old Jacobson Meats location is one of the units they will be using at McComb Place. Mayor Swadley stated it is one of the units and the only other units used by others are for Spinners Pizza and Lakeland Veterinary.

Mayor Swadley opened the public hearing

No one registered to speak.

Mayor Swadley closed the public hearing.

Motion by Caravello to recommend the Common Council approve of the conditional use request as presented for Viking Day Camp, 2125 McComb Road, 2nd by Schumacher. Motion carried unanimously.

8. Request by Jim Hess for approval of a Conditional Use Permit to allow upper story dwellings as an accessory use and Site Plan for a new commercial building at 700 Nygaard Street.

Stacey summarized the request.

Schumacher questioned the ability to fill the commercial space. Jim Hess stated he is not concerned about filling the relatively small 700 square foot space.

Caravello stated there may be opportunities for energy efficiencies such as solar power. Jim Hess stated he would like to if it fits in the budget. Mayor Swadley stated he will put Jim Hess in contact with Corey Neeley at Stoughton Utilities to check for energy incentives.

Mayor Swadley opened the public hearing.

No one registered to speak.

Mayor Swadley closed the public hearing.

Motion by Schumacher to recommend the Common Council approve the conditional use request as presented for upper story dwellings at 700 Nygaard Street, 2nd by Caravello. Motion carried unanimously.

Stacey explained the site plan meets all zoning requirements and the photometric and landscaping plans need to be updated to match the site plan.

Barman questioned what is planned for the exterior materials. Jim Hess stated a decorative/dimensional vinyl siding. Barman stated the exterior colors do not appear to have a consistent pattern. Jim Hess to provide an alternative to Stacey for Barman to comment on.

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

9. Request by Joe Langmeier, Zink Power for approval of a Site Plan to construct a new commercial building at 2443 County Highway A.

Stacey gave an overview of the request and stated another conditional use process is necessary to expand on the accessory structure.

Joe Langmeier explained the need to expand the accessory structure due to the shape of the parcel limiting the size of the principal structure.

Schumacher stated with the wetland in close proximity, will there will be any chemicals released from the operation. Joe Langmeier stated all chemicals are contained within the building.

Barman questioned the location of the landscape plan in the packet. Stacey provided the landscape plan. The applicant gave an overview of the landscape plan.

Schumacher questioned if there would be any water monitoring at the pond site to the south of the building. The applicant stated the pond is designed to City of Stoughton and Dane County standards and there are no plans to have any monitoring devices installed.

Caravello questioned where the bike racks are located. The applicant stated there are racks near the entrance to both buildings.

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

10. Future agenda items.

Caravello would like to review the noticing process/policy and potentially broaden the scope.

11. Adjournment.

Motion by **Caravello** to adjourn at 8:15 pm, seconded by **Schumacher**. Motion carried unanimously.

Respectfully Submitted,

Michael P. Stacey