

Plan Commission Meeting Minutes
Monday, February 8, 2021 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: Rodney Scheel, Director of Planning and Development; Michael Stacey, Zoning Administrator

Press: None

Guests: Jim Bricker; Dennis Steinkraus; Kirk Biodrowski; Attorney Rachel Snyder; Attorney Matt Dregne; Mackenzie Krumme; Peter Sveum; Rachel Venegas; C. Perret

- 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 January 11, 2021.**
Motion by **Robinson** to approve the minutes as presented, 2nd by **Caravello**. Motion carried unanimously.
- 3. Council Representative Report.**
Caravello stated on January 26th the Common Council approved ordinances 1, 2, and 3 and resolutions 7 and 8.
- 4. Staff Report - Status of Current Developments.**
Scheel gave an overview of the status of developments as outlined in the packet of materials. There were no questions.
- 5. Request by James and Michelle Gerber for Certified Survey Map (CSM) approval to combine the parcels at 404 W. Wilson Street and 900 Bickley Court.**
Scheel explained the request.

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

- 6. Request by Kirk Biodrowski for approval of a conditional use permit (CUP) to allow an Indoor Commercial Entertainment use (restaurant type use) and for an In-Vehicle Sales and Service use (drive-thru) at 1720 US Highway 51-138.**
Scheel introduced the request.

Robinson has concerns about traffic safety and conflicts with the mobile vending use.

Rachel Venegas questioned the ownership of the lots. Kirk Biodrowski stated the same entity owns the Pick and Save lot and the proposed Starbucks lot. Starbucks will lease the property as outlined in the application and packet of materials.

Attorney Dregne gave an overview of the requirements to review/approve a conditional use permit application.

Barman stated there is nothing in the ordinance that allows review of a local vs national business rather this request is for the evaluation of the coffee use. Attorney Dregne agrees.

Mayor Swadley opened the public hearing.

- Rachel Venegas is in favor of mobile vending for more than 180 days per year.
- Phil Harrison is not opposed to Starbucks if they meet all requirements.
- Kirk Biodrowski is in favor of the request and can answer questions if necessary.
- Rachel Venegas questioned access to the site and how traffic would flow. Kirk Biodrowski explained the route of the drive-thru and the exiting toward the south.

Mayor Swadley closed the public hearing.

Majewski is concerned about traffic flow and exiting for traffic wishing to head east on Hwy 51.

Kirk Biodrowski stated the previous bank had the same configuration.

The group discussed safety and traffic flow concerns on the adjacent Pick and Save site.

Caravello stated increasing bike parking spots would be a good idea.

The group discussed conditional use vs site plan review and it was determined the site plan is part of the conditional use review according to the conditional use requirements within the zoning code and as outlined in the resolution.

Attorney Dregne questioned if the Commissioners have enough information from the application to make a decision.

Robinson there are not enough signs or arrows directing traffic out of the site.

Barman stated there is not enough evidence to show how traffic would flow out of the site.

Kirk Biodrowski is concerned about what is being required.

Attorney Dregne stated it sounds like a site plan needs to be provided that demonstrates appropriate traffic flow. Attorney Dregne stated the application and CUP packet materials are part of the record for the CUP application.

Motion by **Majewski** to postpone the conditional use request until an updated site plan is provided to show the appropriate traffic flow, 2nd by **Selsor**.

A discussion took place about what the easement allows. Kirk Biodrowski stated the easement agreement gives the right to use any part of the parking lot for access.

Mayor Swadley stated the Plan Commission could have a special meeting if necessary to review an updated site plan.

Barman stated he would like to see traffic circulation off the Starbucks site including signage and potentially striping.

Schumacher stated if available he'd like to see incident rates of accidents on the site and average volume of traffic.

Dregne stated the resubmittal should speak to the easement for ingress and egress.

Motion carried unanimously.

Motion by **Barman** to postpone the site plan review until the site plan resubmittal for the conditional use review, 2nd by **Majewski**. Motion carried unanimously.

7. Request by KPW LLC for Preliminary Plat approval to re-plat Outlot 1, Block 1 of the KPW Meadows Addition.

Scheel gave an overview of the request.

Mayor Swadley opened the public hearing.

No one registered to speak.

Mayor Swadley closed the public hearing.

Majewski stated cul-du-sac's are discourage by Public Works due to the difficulty to remove snow.

Scheel stated cul-du-sac's were anticipated within this development and is allowable by ordinance.

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

8. Request by KPW LLC for rezoning approval of the parcels within the re-plat to Outlot 1, Block 1 of the KPW Meadows Addition.

Scheel gave an overview of the request.

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 rezoning ordinance as presented, 2nd by **Barman**. Motion carried unanimously.

9. Future agenda items.

Mobile vending ordinance; Kettle Park West final plat; Starbucks CUP and site plan.

10. **Adjournment.** Motion by **Majewski** to adjourn at 7:23 pm, seconded by **Schumacher**. Motion carried unanimously.

Respectfully Submitted, *Michael P. Stacey*