

Plan Commission Meeting Minutes

Monday, July 9, 2018 at 6:00 pm

Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, WI.

Members Present: Mayor Tim Swadley, Chair; Matt Bartlett, Vice-Chair; Todd Barman; Phil Caravello; Greg Jenson; and Tom Selsor

Members Absent: Tom Robinson

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

Press: None

Guests: John Bieno; Tim Thorson; Shelby Hoops; Aaron Falkosky; Ron and Kathy Grosso; Sid Boersma and AJ Arnett

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 June 11, 2018.**
Motion by **Jenson** to approve the minutes as presented, 2nd by **Caravello**. Motion carried 6 – 0.
3. **Council Representative Report.**
Bartlett stated the Common Council approved lifting the demolition moratorium for all historic districts except the Main Street Historic District and the old Blacksmith building.
4. **Staff Report - Status of Current Developments.**
Scheel gave an overview of the status of developments as outlined in the packet.
5. **Request by Ron Grosso for a conditional use permit (CUP) to allow more than one principal structure on a lot and for site plan approval at 300 Business Park Circle.**
Mayor Swadley introduced the request.

Mayor Swadley opened the public hearing.

No one registered to speak.

Mayor Swadley closed the public hearing.

Scheel explained the request.

Jenson stated the Business Park North Committee recommended Plan Commission approval of the site plan as presented.

Barman questioned the indoor parking and use of the cold storage warehousing.

Aaron Falkosky stated the intent is for existing tenants and others to use the cold storage but it would not be exclusively used by on-site tenants.

Motion by **Jenson** to recommend the Common Council approve the conditional use permit as presented, 2nd by **Bartlett**. Motion carried 6 - 0.

Motion by **Jenson** to approve the site plan resolution as presented, 2nd by **Bartlett**. Motion carried 6 - 0.

6. Request by John Bieno of TJK Design for approval of an addition for Edge One at 161 Business Park Circle.

Scheel explained the request.

Jenson stated the Business Park North Committee recommended Plan Commission approval as presented.

Barman questioned the need for a 40-foot wide access.

John Bieno stated the access is flared for better access and it allows better alignment with Commerce Road.

Barman questioned if there are any concerns having 2 curb cuts on the curved area of street. Scheel stated there is no concern.

Motion by **Bartlett** to approve the site plan resolution as presented, 2nd by **Jenson**. Motion carried 6 - 0.

7. Request by Shelby Hoops for an extra-territorial jurisdictional (ETJ) land division (CSM) request to create a residential parcel on Skyline Drive, Town of Pleasant Springs.

Scheel explained the request.

Barman expressed concern over setting a precedence allowing over 2.5 acres. Shelby Hoops stated the additional land is more about how the land is farmed and the type of marginal farmland (rocky and hilly) than it is about the actual acres.

Motion by **Bartlett** to recommend the Common Council approve the land division resolution as presented, 2nd by **Selsor**. Motion carried 6 – 0.

8. Request by Tim Thorson of Royal Oak Engineering for an extra-territorial jurisdictional (ETJ) land division (CSM) request to split off an existing residential home and combine the remaining acres to the adjacent commercial land at 810 US Highway 51, Town of Dunkirk.

Tim Thorson explained the request.

Motion by **Barman** to recommend the Common Council approve the land division resolution as presented, 2nd by **Selsor**. Motion carried 6 – 0.

9. Request by Jordan Tilleson to remove 193 W. Main Street from the demolition moratorium to allow a partial demolition and addition to proceed through the review process.

Scheel explained that the request is for removal of this property from the demolition moratorium only.

Motion by **Jenson** to recommend the Common Council lift the demolition moratorium for the property at 193 W. Main Street, 2nd by **Selsor**.

Barman provided input for the applicant going forward as follows:

- Barman is comfortable with the demolition of the rear portion of the building since it is not part of the original building;
- The addition should be compatible with but not replicate the existing building;
- Need better details for the building setback from the alley.

Motion carried 6 – 0.

10. AJ Arnett of Norse View Holdings LLC requests certified survey map (CSM) and rezoning approval for property located at the southeast corner of N. Page Street and County Highway B. (Tabled July 11, 2016 and June 11, 2018)

Scheel explained the rezoning ordinance conditions.

AJ Arnett stated he has no problem eliminating the access to Highway B and stated he may not proceed with a group development.

Scheel stated the ordinance conditions related to a group development will only apply if a group development is proposed.

Motion by Selsor to recommend the Common Council approve the rezoning ordinance including adding 2 years from the date of adoption in the blank in Section 5, 2nd by Caravello. Motion carried 6 – 0.

Scheel clarified the CSM request that the applicant has now requested to be removed from consideration. Scheel provided and explained an updated resolution.

Motion by Bartlett to recommend the Common Council approve the resolution to deny the CSM request, 2nd by Barman. Motion carried 6 – 0.

11. Discuss and make recommendations for proposed ordinance amendments to section 78-517, downtown design overlay zoning district requirements.

Mayor Swadley discussed the communication between himself, Landmark Commission Chair, Peggy Veregin and Attorney Matt Dregne.

Jenson suggested an option may be to remove the Downtown Design Overlay Zoning District from our zoning code.

Barman believes the overlay district regulations should focus on design quality not historic preservation. The overlay district allows a different conversation outside of the typical zoning regulations.

Scheel explained the intent of the Downtown Design Overlay Zoning District vs a Local Landmark District.

Barman explained the difference between contributing and non-contributing buildings in designated historic districts. He believes that considering contributing or non-contributing makes it historic preservation argument as opposed to a design quality issue.

The consensus is that the district would be best served as a Local District under the authority of the Landmarks Commission but that may not happen for quite some time. The group discussed a potential sunset clause for the overlay district.

The Commission had a lengthy discussion about questions provided by City Attorney Matt Dregne as follows:

1. Further work is needed to determine the extent to which demolition should be regulated under Chapter 78. Some degree of regulation under Chapter 78 may be desirable, and the following issues require further discussion:
 - a. Should only demolition of "contributing" structures be regulated, or should demolition of 'non-contributing' structures also be regulated?
 - **The consensus is that all demolitions be regulated;**
 - **Eliminate the terms “contributing” and “non-contributing”;**
 - **Treat all structures in the Downtown Design Overlay Zoning District the same.**
 - b. How should "contributing" and "non-contributing" structures be defined?
 - **Eliminate these terms and just consider them structures.**
 - c. Should demolition of only street facades be regulated?
 - **No, regulate the whole structure.**
 - d. Does the definition of "demolition" need to be modified (ie., is the word "substantial" in the current definition too ambiguous)?
 - **Define as removal of square footage or area/volume;**
 - **Further work may be needed to define demolition.**
 - **Reroofing or residing is not considered a demolition**
2. If demolition is to be regulated, what standards should govern the decision to approve or not approve an application? If an owner allows a building to deteriorate such that it detracts from or does not contribute to the character of the District, but the owner has not violated any City property maintenance ordinance, is that still the "fault of the owner."
 - **Further work is necessary to develop standards for demolition.**
3. What guidelines should apply to projects other than demolition? Should different guidelines apply to contributing structures, non-contributing structures, and new construction?
 - **The design guidelines need to be reviewed for all structures.**
4. The Plan Commission should tour the District, ideally with the help of someone with experience relating to historic preservation and architectural issues. In touring the District, members should attempt to gain insight into why buildings are categorized as 'contributing' or 'non-contributing' and whether regulations should be limited to only street facades.
 - **The Commission viewed pictures of buildings within the district.**

There was a recommendation to remove all references to “historic” in the Downtown Design Overlay Zoning District.

Staff will bring an updated ordinance draft to the next meeting.

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12. Future agenda items. None discussed.

13. Adjournment.

Motion by **Jenson** to adjourn at 8:10 pm, 2nd by **Bartlett**. Motion carried 6 – 0.

Respectfully Submitted,

Michael Stacey