

Planning Commission Meeting Minutes

Monday, March 14, 2016 - 6:00 p.m.

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

Members Present: Mayor Donna Olson, Chair; Matt Hanna; Todd Krcma; Michael Maloney and Scott Truehl.

Absent: Pat O' Connor and Ron Christianson

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

Press: Bill Livick

Guests: Lynne Sauer; Susie Waldner; Tom Vavra; Jamie Bush; Dennis Steinkraus; Kevin Yeska; Tarnam Dhillon; Todd Nelson; Mary Claire Lanser; Debra Pautz; Dwight Pautz; Tom Majewski; Michael Engleberger; Kathy Eccles; Jerry McGuire, David Nelson and Kevin Stands.

- 1. Call to order.** Mayor Olson called the meeting to order at 6:14 pm.
- 2. Consider approval of the Planning Commission meeting minutes of February 8, 2016.**
Motion by **Truehl** to approve the minutes as presented, 2nd by **Hanna**.

Maloney noted the meeting start time should be changed from 7:00 pm to 6:00 pm.

Motion carried 5 – 0.

- 3. Council Representative Report.**

Scheel reported the following were approved by the Common Council: Duplex – Twin Home Ordinance Amendment; CSM for Nordlie in the Town of Rutland and the Dog Daycare for Tilleson-Hines.

- 4. Status of Developments.**

Scheel gave an overview of the status of current developments as outlined in the packet of materials. There were no questions.

- 5. Lynne Sauer requests extra-territorial jurisdictional CSM approval to combine lots 11 and 12, Riverwood Estates, 1033 Riverwood Drive, Town of Dunkirk.**

Scheel explained the request.

Motion by **Truehl** to recommend the Common Council approve the ETJ CSM request contingent on the Town of Dunkirk and Dane County approval, 2nd by **Krcma**. Motion carried 5 – 0.

- 6. Susie Waldner requests extra-territorial jurisdictional CSM approval to resurvey 5 parcels at 2620 Marilyn Drive, Town of Dunkirk to create 2 parcels.**

Scheel explained the request.

Motion by **Truehl** to recommend the Common Council approve the ETJ CSM request contingent on the Town of Dunkirk and Dane County approval, 2nd by **Krcma**. Motion carried 5 – 0.

7. **Tom Vavra, representing Dhillon Petroleum LLC requests certified survey map (CSM) approval to combine the parcels at 1009 W. Main Street and 308 S. Gjertson Street.**
Scheel explained the request.

Motion by **Truehl** to recommend the Common Council approve the CSM request contingent on the staff review letter dated March 9, 2016, 2nd by **Krcma**. Motion carried 5 – 0.

8. **Tom Vavra, representing Dhillon Petroleum LLC requests Specific Implementation Plan approval to accommodate a retail building reconstruction including a drive-thru at 1009 W. Main Street and 308 S. Gjertson Street.**
Scheel gave an overview of the request.

Maloney questioned the stormwater management plan. Scheel stated the plan has not yet been submitted.

Hanna asked if the applicant had contacted the adjacent property owner regarding joint parking.

Scheel stated nothing had been reported.

Motion by **Truehl** to approve the Specific Implementation Plan contingent on the staff review letter dated March 9, 2016, 2nd by **Hanna**. Motion carried 5 – 0.

9. **Jamie Bush requests a conditional use permit for a building addition including an outdoor seating area and moving of the drive entrance at Deaks Pub & Grill, 1017 Nygaard Street.**
Scheel gave an overview of the request.

Mayor Olson opened the public hearing.

Jerry McGuire of UW Health stated they are not in favor of Deaks patron's encroachment of their parking lot.

Kathy Eccles questioned the outdoor hours of operation, excessive noise coming from the business and parking along Roby Road. She spoke positively of the improvements to the operation since it was purchase by Mr. Bush.

Jamie Bush explained the intent is to expand to a family oriented, full dining establishment. Jamie has tried to contact UW Health several times to come to an agreement to use their parking. Jamie stated he does not encourage or discourage use of the UW Health parking lot.

Mayor Olson closed the public hearing.

Scheel stated this request is only for the conditional use and variances would be necessary for requirements related to the bufferyard, parking and landscape surface area ratio.

Krcma questioned if there is any solution to the parking issue.

Jamie Bush stated the use of the UW Health parking lot works since UW Health uses the parking lot Monday through Friday 9-5 and Deaks use is later in the evening and weekends.

Motion by **Truehl** to recommend the Common Council approve the conditional use permit request contingent on the staff review letter dated February 26, 2016, variances being approved by the Board of Appeals for requirements related to parking, bufferyard and landscape surface ratio and that outdoor music end at 10:30 pm, 2nd by **Krcma**.

Truehl stated the Public Safety Committee may need to look at the street parking situation and he hopes the parking can be worked out because it would be a great addition for Deaks.

Hanna agrees with Truehl that this would be a great addition.

Jerry McGuire of UW Health stated he is not in opposition to expansion of the business but UW Health is not in the parking lot business.

Maloney sees Roby Road being a challenge for entering and exiting.

Scheel stated outdoor hours can be outlined as part of the conditional use permit.

Truehl questioned the existing cutoff requirements for outdoor alcohol consumption including music.

Hanna would like to amend the motion to limit outdoor music to 10:30 pm.

Jaime Bush stated Oregon requires 10:30 pm at his business, Head Quarters.

Motion carried 5 – 0.

10. Forward Development Group requests approval of the Preliminary Plat for Kettle Park West Phase II.

Scheel gave an overview of the request.

Mayor Olson opened the public hearing.

Tom Majewski stated this preliminary plat is ahead of schedule and should be tabled until the park land, access and public safety issues are addressed. He also noted the proposed preliminary plat is different than the approved detailed neighborhood plan.

Debra Pautz stated the plat is different than what she had originally saw and she is concerned about the extension of Oak Opening Drive.

Dwight Pautz stated the density is too high and traffic will be a problem.

Michael Engelberger stated the plat should be tabled until the park land and public safety for access is addressed.

David Nelson questioned the change in buffer area adjacent to his farmland. Scheel stated the remnant lots were eliminated according the ordinance due to no access and maintenance concerns.

Dennis Steinkraus stated they would like the preliminary plat to keep moving forward with conditions if necessary. They will continue to work with the Parks and Recreation Committee regarding parkland and Town of Rutland for the secondary access to the north.

Mayor Olson closed the public hearing.

Attorney Dregne handed out a revised resolution for the preliminary plat and gave an overview. Attorney Dregne went through all the items contained in the draft resolution.

Truehl stated he won't support allowing lots 21-23 be developed until a connection to Highway 138 is established. Truehl is concerned about emergency vehicle access into the development and believes an agreement with the Town of Rutland is important to gain connection to the north for phase 2. Additionally, parkland will need to be worked out.

Motion by Hanna to Table the preliminary plat until next month, 2nd by Truehl.

Discussion occurred related to timing of the next meeting and a potential special meeting may be necessary to meet deadlines.

Motion carried 4 – 1 with Krcma voting no.

11. Forward Development Group requests approval of a Certified Survey Map (CSM) for Kettle Park West Phase II.

Scheel explained the request.

Attorney Dregne gave an overview of the CSM resolution.

Motion by **Truehl** to Table the CSM request, 2nd by **Krcma**. Motion carried 5 – 0.

12. Forward Development Group requests to rezone parcels of land located north of State Highway 138 and west of US Highway 51, Kettle Park West.

Scheel explained the request.

Attorney Dregne gave an overview of the zoning ordinance.

Mayor Olson opened the public hearing.

Debra Pautz spoke with concern about fire and public safety.

Dwight Pautz declined to speak.

Tom Majewski stated the request should be tabled and agrees with Commissioner Truehl's comments.

Michael Engelberger agrees the rezoning should be tabled.

Mayor Olson closed the public hearing.

Motion by **Truehl** to Table the rezoning request, 2nd by **Krcma**.

Hanna questioned the size of Lot 13 compared to others in the same zoning class.

Dennis Steinkraus stated Lot 13 would be higher density and townhouses are a possibility there.

Motion carried 5 – 0.

13. Forward Development Group requests Specific Implementation Plan approval for Lot 4, Kettle Park West.

Kevin Yeska of JSD Professional Development gave an overview of the request.

Josh Stands of Iconica explained the building materials proposed to be used.

Motion by **Truehl** to approve the specific implementation plan for Lot 4 contingent on the staff review letter dated February 26, 2016, 2nd by **Krcma**. Motion carried 5 – 0.

14. Forward Development Group requests Specific Implementation Plan approval for Lot 7, Kettle Park West.

Kevin Yeska of JSD Professional Development gave an overview of the request. Additionally, their current vision for a future improvement on Lot 7 is an east-west walkway to connect to the Walmart site walkway.

Motion by **Truehl** to approve the specific implementation plan for Lot 7 contingent on the staff review letter dated February 26, 2016, 2nd by **Krcma**.

Truehl questioned the future restaurant use requirements. Scheel stated a restaurant use may have to be reviewed at that time but it was included as part of the general development plan. Motion carried 5 – 0.

15. Todd Nelson requests conceptual plan review for a multi-family residential development at Chalet Court.

Todd Nelson explained the conceptual plan and noted the larger building was moved to the north as requested.

The group discussed building setbacks needing to meet zoning requirements, stormwater management and parking needs.

Todd Nelson stated he may need an exception for some of the parking and stormwater management could be combined with the City stormwater area. Todd Nelson stated Lot 1 could be developed by this Fall with Lot 2 likely being developed in 2017.

16. Proposed ordinance amendment to Chapter 30 Floodplain Zoning.

Scheel explained the request to amend the Floodplain Ordinance.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

Motion by **Truehl** to recommend the Common Council approve the ordinance amendment as presented, 2nd by **Hanna**. Motion carried 5 – 0.

17. Future agenda items.

Comprehensive Plan Amendment and KPW materials.

18. Adjournment. Motion by **Krcma** to adjourn at 8:30pm, 2nd by **Truehl**. Motion carried 5–0.

Respectfully Submitted, *Michael Stacey*