

Planning Commission Meeting Minutes

Monday, July 11, 2016 - 6:00 p.m.

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

Members Present: Mayor Donna Olson Chair; Scott Truehl, Vice-Chair; Matt Hanna; Todd Krcma; and Michael Engelberger

Absent: Tom Selsor and Michael Maloney

Staff: Planning & Development Director, Rodney Scheel

Press: Tom Alesia

Guests: Ben DiSalvo; Brad Koning; AJ Arnett; Dennis Steinkraus; Julie Manke; Elisabeth Mensink; Kevin Yeska; David Eugster; Kathy Jo Vike; Todd Nelson; Jim Bricker; Dwight Pautz; Debra Pautz; Dave Jenkins; Denise Wilson; Andy Wilson; Mike Klinzing; Brad Crowley; Wendy Phillips; Peter Sveum; Dave McKichan; Andrea Arnett; Bill Ryan; and Eric Lund

1. **Call to order.** Mayor Olson called the meeting to order at 6:00 pm.
2. **Consider approval of the Planning Commission meeting minutes of May 9, 2016 and June 13, 2016.**

Motion by **Engelberger** to approve the minutes of May 9, 2016 as presented, 2nd by **Truehl**.
Motion carried 5-0

3. **Council Representative Report.**

Truehl reported the Brooks conditional use for a military style obstacle course was approved and the Eugster request is back on tonight's agenda because the original approved plan has changed significantly. Truehl gave some background information from recent Public Safety Committee meetings related to the Eugster request.

4. **Status of Developments.**

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

5. **Ben DiSalvo requests a conditional use permit and accessory building addition at 819 N. Page Street.**

Scheel explained the request.

Mayor Olson opened the public hearing.

Ben DiSalvo registered in favor and will answer questions if needed.

Mayor Olson closed the public hearing.

Scheel provided more details regarding the site plan.

Hanna questioned the amount of room in front of the building. Ben DiSalvo stated the plan is not to scale and there is plenty of room in front for vehicle and bicycle parking.

Motion by **Truehl** to recommend the Common Council approve the conditional use permit subject to the staff review letter dated June 27, 2016, 2nd by **Hanna**. Motion carried 5-0

Motion by **Hanna** to approve the site plan as presented, 2nd by **Truehl**. Motion carried 5-0

6. Bob and Laura Dvorak request to change Aasen Drive to Markens Gate Road in the Nordic Ridge Subdivision.

Scheel explained the request and that City ordinances outline the process to change a street name.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

Motion by **Hanna** to recommend the Common Council approve the renaming of Aasen Drive to Markens Gate Road as presented, 2nd by **Truehl**. Motion carried 5-0.

7. AJ Arnett of Norse View Holdings LLC requests Preliminary Plat approval for Arnett's Addition to Norse View Heights.

Scheel gave an overview of the request.

AJ Arnett spoke specifically related to the parkland/trail, density and stormwater management.

Mayor Olson opened the public hearing.

Wendy Phillips spoke with concern about having separation from the parkland/trail and her property at 321 County Highway B. She is thrilled about the trail but concerned about users wandering onto the adjacent private properties.

Comments submitted by adjacent property owner, Gary Breuchel, were discussed.

AJ Arnett stated there were no plans to add any park equipment at this time and he is willing to consider installation of a split rail type fence.

Mayor Olson closed the public hearing.

Scheel gave an overview of several of the contingencies listed in the resolution that would have to be met before Final Plat approval including:

- Resolving the parkland dedication requirement;
- Urban service area amendment request - Materials prepared by the developer for review and approval by the City before the City applies to the Capital Area Regional Planning Commission with the application fee to be paid by the developer;

- Proposed pressurized sanitary sewer system being proposed is not currently used by the City and will be subject to WDNR and Stoughton Utilities approval;
- Vacation of Marie Drive – the proper process will be necessary to vacate the street area and identify this area as dedicated to the public;
- Development agreement.

The Commission discussed the following:

- Parkland requirement? Scheel stated the calculation provided in the applicant's overview will need to be verified. AJ Arnett stated he is providing more than the requirement. Scheel stated the Parks and Recreation Committee has not finalized their discussion and there may be a special parks and recreation meeting coming up to discuss the parkland;
- Pond elevation and utility easements. Scheel stated easements/utilities are planned for the front of the lots all subject to Stoughton Utilities approval;
- Who would maintain the pond? AJ Arnett stated the stormwater areas would be dedicated to the public;
- There were concerns raised by neighbor's regarding trespassing from the parkland. AJ Arnett is willing to consider fencing to prevent trespassing and this will be a topic for discussion at the Parks and Recreation Committee;
- Landscaping and sidewalks. Scheel stated the Street Dept. will play a role in where terrace trees will be located and there are no other landscaping requirements for single family or two family residential developments. AJ Arnett provided information about the trees planted on Carl Avenue;
- There was interest in having a landscaping plan for the park and stormwater areas.

Motion by **Hanna** to Table this request to allow for more information to be provided, 2nd by **Engelberger**. Mr. Arnett indicated his support to delay Council action so it can be done right.

Truehl recommends approval of the preliminary plat contingent on more information being provided prior to the final plat approval.

Engelberger would rather Table the request to allow more information to be provided at a future meeting.

Hanna and Engelberger agreed to remove the original motion.

Motion by **Truehl** to recommend Common Council approval of the preliminary plat resolution subject to input and comments from the Parks and Recreation Committee prior to Council action, 2nd by **Hanna**. Motion carried 4-1 (Engelberger voted no).

8. AJ Arnett of Norse View Holdings LLC requests rezoning approval for parcels of land within Arnett's Addition to Norse View Heights.

Scheel explained the request.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

Motion by **Hanna** to recommend the Common Council approve the rezoning ordinance, 2nd by **Krcma**. The ordinance indicates the rezoning does not become effective until the final plat is recorded. Motion carried 4-1 (Engelberger voted no).

9. 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.

Scheel explained the request.

Mayor Olson opened the public hearing.

No one registered to speak.

Mayor Olson closed the public hearing.

A lengthy discussion occurred regarding access safety for the proposed future group development. Ultimately there was consensus that the access be as far south as possible including the installation of a cul-de-sac.

Motion by **Truehl** to Table the CSM and rezoning request until more information is provided regarding how the site will be developed, 2nd by **Hanna**. Motion carried 5-0.

10. Todd Nelson request rezoning approval for lots 9 – 15, Chalet Subdivision including the Chalet Court right-of-way from RH – Rural Holding to PD-GDP – Planned Development – General Development Plan.

Scheel explained the request.

Mayor Olson opened the public hearing.

Jim Bricker of JSD Professional Development gave an overview of the project.

Denise Wilson requested a delay in action for lack of information related to stormwater management and believes the exception request for a tighter side yard setback along the south side lot line is unacceptable. Ms. Wilson also questioned whether sidewalks would be required along Vernon Street. She recommends the complete stormwater analysis be completed before construction on any of the buildings occurs.

Mayor Olson closed the public hearing.

Scheel gave an overview of the exceptions being requested.

The Commissioners raised several questions including:

- The application is unclear as to what is requested for approval;
- Many questions about the proposed garage doors facing the street for the southeast building;
- Process to vacate Chalet Court;
- Concerns raised about all the exceptions requested;
- Appears to be too much on the site;
- Stormwater management plan needs to be evaluated with project;
- Layout appears good but not with the garage doors facing the street.

Jim Bricker stated they can bring back a revised plan that addresses the comments and concerns.

Motion by **Hanna** to Table the request until a revised plan is submitted, 2nd by **Truehl**. Motion carried 5-0.

11. Forward Development Group requests a conditional use permit and site plan approval to construct a hotel and convention center at 2500 Jackson Street.

Dennis Steinkraus introduced the request.

Eric Lund of S&L Hospitality who will be managing the facility provided the name of the hotel as **tru by Hilton** and provided details of the hotel and convention center operation. The hotel is a 93 room facility with the convention center accommodating events up to 300 people.

Kevin Yeska of JSD Professional Development gave an overview of the site and landscaping plans.

Josh Johnson of ADCI explained the convention center design noting the design is based on contemporary Norwegian architecture. He identified three main focus points of the convention center portion of the project – 1. Connected to a Hilton facility; 2. Beautiful garden courtyard emphasis; 3. Contemporary Norwegian Architecture that attaches the design to nature.

Truehl questioned if conflicts with the senior housing project were considered. Dennis Steinkraus stated he has been working closely with that developer and the plan is to provide additional landscaping along their east lot line to create more of a buffer.

Mr. Lund emphasized their management experience and how it is important for their managers to monitor the facility to insure a good experience for the convention visitors, hotel customers, and the neighbors.

Truehl questioned overflow parking for larger events. Dennis Steinkraus stated they should be able to park everyone onsite. Proposed parking meets zoning code requirements.

Krcma questioned the potential for noise issues during weddings. Dennis stated this should not be an issue since most of the reception activities will be indoors.

Mayor Olson opened the public hearing.

Debra Pautz suggested the hotel not be over 3 floors and is not in favor of TIF funding.

Mayor Olson closed the public hearing.

Scheel gave an overview of the requested exceptions.

The following was discussed:

- Whether an economic feasibility study was done. Eric Lund stated one was done by the Dennis Steinkraus team and his group did their own pro forma;
- Concern was raised about the number of exceptions requested. Many exceptions appear to be more related to a big box retail building. Kevin Yeska explained the need for the exceptions;
- Development schedule. Dennis Steinkraus stated they would like to start by October and open by April/May of 2017;
- Questions related to TIF funding. Scheel stated has not been requested for this project;
- There were concerns raised by Commissioners about the potential for noise issues from outdoor events with the adjacent senior housing.
- No bar in the hotel but will have beer and wine available and catered events will likely have normal bar drinks;
- Bands will be inside;
- Wedding ceremonies are planned outdoors;
- Noise is controlled by the outdoor consumption regulations and there are other ordinances police use related to noise;
- Many noise issues in the past are related to outdoor consumption of alcohol.

Motion by **Hanna** to recommend the Common Council approve the conditional use permit resolution with the additional contingency that no outdoor music [*staff recommended clarification following the meeting- "between the hours of 11:00 pm Friday through 8:00 a.m., Saturday, 11:00 p.m. Saturday through 8:00 a.m. Sunday, and between the hours of 10:00 p.m. and 8:00 a.m. on all other nights."*] after 10:00 pm Monday through Thursday and 11:00 pm Friday through Sunday, 2nd by **Truehl**.

Engelberger stated there are ordinances in place to address the noise concerns so it does not have to be addressed in the motion.

Krcma is in favor of the motion.

Motion carried 4-1 (Engelberger voted no indicating he opposes the additional contingency that was made part of the resolution.)

Motion by **Krcma** to approve the site plan subject to the staff review dated June 30, 2016, 2nd by **Truehl**. Motion carried 5-0.

12. Elisabeth Mensink requests site plan approval to install a shed at West School Apartments, 400 Garfield Street.

Scheel explained the request and noted the shed is also on the Landmarks Commission agenda for Thursday night since the property is a Local Landmark.

Motion by **Truehl** to approve the shed subject to staff verifying setback, 2nd by **Krcma**.

Engelberger questioned the type of exterior material for the shed. Elisabeth Mensink stated it was a plastic kit. Engelberger stated the landmarks commission will likely address the type of materials.

Motion carried 5-0.

13. Keith and Susan Slinde request extra-territorial jurisdictional approval for a certified survey map to reconfigure the parcels at 2614 County Highway B, Town of Pleasant Springs.

Scheel explained the request.

Motion by **Truehl** to recommend the Common Council approve the extra-territorial CSM request contingent on Town of Pleasant Springs and Dane County approval, 2nd by **Krcma**. Motion carried 5-0.

14. Julie Manke requests extra-territorial jurisdictional approval for a certified survey map to remove agricultural land from a parcel at 815 Bass Lake Road, Town of Rutland.

Scheel explained the request.

Motion by **Hanna** to recommend the Common Council approve the extra-territorial CSM request contingent on Town of Rutland and Dane County approval, 2nd by **Krcma**. Motion carried 5-0.

15. Brad Koning requests certified survey map (CSM) and site plan approval to construct a new building for First Choice Dental at 1300 Nygaard Street.

Scheel introduced the request.

Brad Koning of Shulfer architects explained the site plan and provided exterior materials.

Motion by **Engelberger** to recommend the Common Council approve the CSM as presented, 2nd by **Truehl**. Motion carried 5-0.

Motion by **Hanna** to approve the site plan contingent on the staff review dated June 28, 2016, 2nd by **Truehl**. Motion carried 5-0.

16. David Eugster and Kathy Jo Vike request site and building plan approval at 324 Water Street.

Scheel introduced the request.

Dave Eugster explained the intent of the site plan and noted the rip/rap and brick patio pavers are in place.

Scheel stated the outdoor toilets should be considered only on an event basis; more information is needed regarding the food trailer and there is a 3-foot emergency exit clearance requirement for the emergency exit along the north side lot line.

A lengthy discussion occurred related to the proposed shed with most commissioners not in favor of the location along the front lot line. Aesthetics and precedence were mentioned as reasons for not having the shed there. Dave Eugster is not in favor of the shed but needs it for temporary storage.

Ultimately Dave Eugster now plans to construct an addition to the building instead of using the shed for storage.

Motion by **Engelberger** to approve the site plan without the shed, food trailer and outdoor toilets including providing a 3-foot (clear width) emergency exit route along the north side property line, 2nd by **Truehl**. All exiting from the outdoor area must be reviewed by the Fire Chief for compliance of separation, width and exit hardware.

Engelberger stated he would just like to see them be able to open.

Dave Eugster stated he wants the food truck to be approved. He stated it is intended to be a permanent fixture.

The consensus was that more information is needed to approve a permanent food truck.

Motion carried 5-0.

17. Comprehensive Plan Rewrite Update.

Scheel stated a special meeting is planned for Tuesday July 19th to discuss the community survey and public participation plan.

18. Future agenda items.

Todd Nelson Chalet Court development; Dave Eugster plan for 324 Water Street; Comprehensive Plan rewrite; AJ Arnett CSM and group development plan.

19. Adjournment

Motion by **Hanna** to adjourn at 10:07 pm, 2nd by **Krcma**. Motion carried 5-0

Respectfully Submitted, Michael Stacey