

Planning Commission Meeting Minutes

Monday, June 12, 2017 at 6:00 pm

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

Members Present: Scott Truehl, Vice-Chair; Todd Barman; Michael Engelberger; Matt Hanna; Todd Krcma and Matt Bartlett

Members Absent: Mayor Donna Olson, Chair

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

Press: Amber Levenhagen

Guests: Emily Bahr; Peggy Veregin; Tom Matson; Laura Viney; Gary Becker; Peter Sveum; Dennis Steinkraus; Kevin Yeska; Jim Lapp; Dennis & Amy Kittleson; Jerod & Patricia Wooldridge; Bruce Sime; Jim Bricker and Stan Mabie

1. **Call to order.** Truehl called the meeting to order at 6:00 pm.
2. **Consider approval of the Planning Commission meeting minutes of May 8, 2017.**
Motion by **Hanna** to approve the minutes as presented, 2nd by **Engelberger**. Motion carried 6 – 0.
3. **Council Representative Report.** Truehl stated the Common Council approved the Tractor Supply and Kettle Park Senior Living Conditional Use Permits.
4. **Status of Developments.** Scheel gave an overview of the status of developments as outlined in the packet of materials. Scheel also noted the traffic signal should be active at Jackson Street and US Highway 51 on Tuesday, June 13th. There were no questions.
5. **Request by Tom Lamberson for site plan approval to construct a garage at 720 Nygaard Street.**
Scheel explained the request.

Motion by **Engelberger** to approve resolution as presented, 2nd by **Bartlett**.

Engelberger questioned if the garage is visible from Nygaard Street and US Hwy 51. Scheel stated the garage would be visible.

Motion carried 6 – 0.

6. **Request by Bruce Sime and James Lapp for extra-territorial jurisdictional (ETJ) approval for a land division at 3333 State Highway 138, Town of Rutland.**
Scheel explained the request and noted that a waiver would be necessary since the 5 acres being split off for the commercial use is more than the 2.5 acres maximum requirement.

Engelberger questioned if an additional access to State Highway 138 is necessary. Bruce Sime stated they are sharing the access.

Motion by **Engelberger** to recommend the Common Council approve the resolution as presented, 2nd by **Hanna**. Motion carried 6 – 0.

7. Request by Tom Matson for extra-territorial jurisdictional (ETJ) approval for a land division at 1494 Pleasant Hill Road, Town of Dunkirk.

Scheel explained the request and noted that similar to the previous request a waiver is necessary since 5 acres is proposed to be split off for a residential use which is more than the 2.5 acres maximum requirement.

Motion by **Engelberger** to recommend the Common Council approve the resolution as presented, 2nd by **Hanna**. Motion carried 6 – 0.

8. Request by Phillip Knutson for Design Review approval for new awnings at 110 E. Main Street.

Scheel explained the request.

Motion by **Engelberger** to approve the resolution as presented, 2nd by **Bartlett**. Motion carried 6 – 0.

9. Request by Laura Viney for a conditional use permit (CUP) approval to allow a group daycare at 320 Dvorak Court.

Scheel gave an overview of the request.

Truehl opened the public hearing.

Laura Viney answered questions related to her existing daycare locations.

Truehl closed the public hearing.

Engelberger questioned tax exempt status. Viney stated she is not tax exempt.

Engelberger questioned timing for being operational. Viney stated December 2017.

Viney stated the only exterior improvement planned are additional parking and a playground area.

Motion by **Engelberger** to recommend the Common Council approve the resolution as presented, 2nd by **Hanna**.

Bartlett questioned how many children the facility would accommodate. Viney stated 120 children.

Engelberger questioned how many children are currently in facilities. Viney stated 90 children and with the closing of one lease facility and opening the new facility will increase the number by about 75 children.

Hanna questioned if the CSM will be reviewed with the site plan. Scheel stated it will.

Motion carried 6 – 0.

10. Request by Kettle Park West LLC to approve a General Development Plan for Kettle Park West Commercial Center, Lots 3, 4, 5 and 7.

Scheel gave an overview of the request.

Truehl opened the public hearing.

Dennis Steinkraus answered questions.

The following is a summary of what was discussed:

- The new general development plan is proposed to eliminate future exception requests.
- A discussion occurred about how traffic and pedestrians are able to move through each lot including connectivity between each lot.
- No changes to the plan are proposed for bike and pedestrian access.
- There are safety concerns about interior walkways.
- The developer will consider interior walkways for future site plans.

Truehl closed the public hearing.

Hanna questioned the exemptions requested.

Scheel explained the 5-foot setback exemption request which would allow a share drive access and the reduction in the size of tree islands.

Kevin Yeska of JSD Professional Services explained the following exemptions:

- 50-foot tree spacing requirement does not work for smaller lots;
- 10-foot sidewalk width for the front access areas is too large for a smaller building;

Kevin Yeska also stated the plan increases the number of buildings on lot 7 to 5 buildings.

Hanna stated these exemptions are reasonable.

Motion by **Hanna** to recommend the Common Council approve the ordinance as presented, 2nd by **Bartlett**.

Krcma stated 5 feet is not enough sidewalk in front of the building. Kevin Yeska agreed that 7 feet would be better.

Hanna noted the site plans will still need to be reviewed and approved by the Planning Commission.

Engelberger questioned if approval of this plan would set a precedence. Scheel stated the GDP process affords the Planning Commission and Council to look at the overall development in a logical manner.

Motion carried 6 – 0.

11. Request by JSD Professional Services for approval of a condominium plat at Kettle Park West Commercial Center, Lot 7.

Scheel explained the request.

Truehl opened the public hearing.

Dennis Steinkraus spoke in favor of the condominium.

A discussion occurred as follows:

- Condominium allows transfer of title for buildings;
- There is limited flexibility for building footprints with existing utilities and stormwater management;
- Future anticipated tenants include AT&T, Great Clips; Dunkin Donuts; Retail and a Restaurant.

Truehl closed the public hearing.

Motion by **Hanna** to recommend the Common Council approve the resolution as presented, 2nd by **Engelberger**.

Engelberger would like the City Attorney to make sure the condominium does conflict with the development agreement. Scheel will check with the City Attorney.

There was a brief discussion about meeting all TIF requirements.

Hanna would like to see site specific interconnectivity. Dennis Steinkraus stated they would look into that.

Motion carried 6 – 0.

12. Request by Dennis and Amy Kittleson for approval of a landscaping plan at 315 E. Main Street.

Scheel explained the request.

Motion by **Hanna** to approve the resolution as presented, 2nd by **Krcma**.

Barman stated this is not a detailed plan and does not meet the justification to remove the building.

Bartlett agrees with Barman and stated a park should not be allowed within a business district.

Engelberger stated the owners have not met the requirement of a detailed landscaping plan and this does not meet the requirements of the Comprehensive Plan. Engelberger stated this is precedence setting for future similar requests. Engelberger does not believe proper procedures were followed.

Hanna stated the demolition has been approved and the request is for landscaping on private land.

Bartlett stated the plan is not detailed.

Krcma questioned if a property owner can remove a building and landscape the site. Scheel stated they can.

Barman stated this is not a typical parcel and approval of this plan is precedence setting. Barman stated this is demolition by neglect and the landscaping plan is not detailed enough.

Krcma stated the building is not a vital part of the downtown and does not believe it is demolition by neglect.

Hanna questioned what the plan should look like to give the applicant's guidance. Hanna also questioned what the timing or phasing should be for installation of the landscaping. Scheel stated timing is at the discretion of the Commission.

Hanna questioned what criteria is used for demolition sites. Scheel stated it varies depending on the site.

Bartlett would like the Landmarks Commission to take a look at the building. Bartlett does not believe the plan meets commercial use.

Krcma stated the property sat vacant for 6 years.

Truehl stated the request is for landscaping plan approval so discussion should focus on the plan. Truehl also stated the Commission should focus on providing options for the plan.

Barman agrees the site plan is before the Commission and using the criteria set forth in the ordinance the plan has to stimulate activity and be rationale for the location. Barman offered to assist the owner's pro-bono to try to save the structure.

Krcma questioned what would meet the criteria for the landscaping plan.

Barman stated public improvements to encourage activity similar to a pocket park instead of dead space that does not attract activity.

Motion failed 5 – 1 (Hanna voted for the approval)

Amy and Dennis Kittleson explained their reasoning for the landscaping plan is because they do not know what the lighting will be once the structure is gone and they don't know the soil type. Dennis Kittleson explained the structure was vacant for about 10 years with no maintenance including shingles falling on his adjacent property.

Barman stated the Kittleson's knew what they were getting into when buying a property in the downtown historic district.

Dennis stated they have done everything they have been asked to do.

Truehl stated the discussion should focus on the landscaping plan.

13. Request by the Redevelopment Authority to discuss a Planned Development Zoning Concept for the Riverfront Redevelopment Area.

Gary Becker, representing the Redevelopment Authority stated this is the pre-application meeting for a future concept plan. Gary Becker gave a summary of the recent 3 day charrette planning for the redevelopment area.

Engelberger questioned the timing of the concept plan. Gary Becker stated they should have a plan for the July meeting.

Truehl explained the plans for demolition of the old Millfab buildings.

Hanna questioned what parcels are owned by the RDA. Gary Becker explained.

Barman questioned the plans for the power plant building. Gary Becker stated the building would be retained for retail or a coffee shop and the blacksmith portion of the Highway Trailer Building is also planned to be retained.

Hanna noted there was strong support at the charrette for retention of the blacksmith portion.

14. Request by City of Stoughton to amend the Zoning Ordinance, Appendix B, Landscaping Charts and Checklists.

Scheel explained the intent of the amendment.

Truehl opened the public hearing.

No one registered to speak at the public hearing.

Truehl closed the public hearing.

Hanna stated the 5% language is a confusing guideline and noted it will be difficult to achieve for most landscaping plans. Hanna suggested revised language that encourages diverse plantings.

Bartlett agrees with Hanna.

Engelberger suggested a red-lined version for easier reading of proposed changes.

Barman agrees with Hanna.

Krcma agrees to remove the 5% language.

Truehl questioned whether the Commission would like to Table or wordsmith the ordinance.

Engelberger stated the ordinance should go back to the Tree Commission or the new Arborist once hired.

Truehl agrees numbers imply regulation.

Motion by **Hanna** to Table the ordinance amendment and send back to the Tree Commission for further review, 2nd by **Bartlett**. Motion carried 6 – 0.

15. Future agenda items.

Joint meeting of the Planning Commission and Common Council regarding the public hearing for the Comprehensive Plan Rewrite on June 27th

16. Adjournment

Motion by **Bartlett** to adjourn at 7:55 pm, 2nd by **Hanna**. Motion carried 6 – 0.

Respectfully Submitted,

Michael Stacey