

Minutes

Plan Commission

Meeting

August 19, 2019

Members Present: Tom Rogers, Dan Kolk, Peter Bloechl-Anderson, Brad Czebotar, Bruce Fischer, Eric Green

Members Absent: Jeff Sorenson

Staff Present: Andrew Bremer, Matt Schuenke, Karen Knoll

1. CALL TO ORDER.

Czebotar called the meeting to order at 7:00 p.m.

2. PUBLIC APPEARANCES.

Brent O'Dell – 5408 Main Street addressed Commissioners regarding his concerns over road improvements and sidewalk construction on Main Street. O'Dell summarized he wrote a letter in February voicing his concerns about the proposed sidewalk construction on the west side. In that letter, he pointed out his concerns and issues. As the project has moved forward, he is here to go on record with his concerns. One of the issues is the approach and grade of his driveway with respect to the sidewalk being installed. His driveway, and that to the south of him, are considerably steeper than other driveways in the area. As the sidewalk must be level, and the grade of the road will not be changed, the new apron or the existing grade of the lower portion of his driveway above the sidewalk, will become even steeper. This will give the potential of his vehicles, or vehicles of others bottoming out when accessing or exiting his driveway with the added potential of causing damage to vehicles. In addition to previously bringing this to the Villages attention, O'Dell indicated he has had conversations with Town & Country Engineering who informed him, there are things that could be done to minimize this from occurring, but this was not an assurance nor a guarantee. O'Dell hopes that his concerns do not occur at all, however he is at the meeting tonight, as he wants assurance if problems arise due to the grade of his driveway with the respect to the sidewalks, whatever is necessary will be done to remedy the situation. He does not want the project to move forward and then be later told, "had he only let them know first something could have been done". He is requesting the Village contact Town and Country and the contractor within a day or two to work with them to assure that his concerns are properly addressed. O'Dell feels this is under the Village control, along with Town & Country Engineering and the contractor. There is

an oversight responsibility to make sure this is done to the satisfaction of all parties. O'Dell looks forward to receiving the Villages assurances.

3. APPROVAL OF MINUTES.

a. Discussion and action regarding the minutes of the meeting held on July 15, 2019.

Czebotar called the minutes approved by unanimous consent.

4. PUBLIC HEARING.

a. On proposed Certified Survey Map from Lakestone Properties, LLC for the property located at 4719 Farwell Street in order to create two lots for a mixed-use development.

Czebotar opened the public hearing at 7:05 p.m.

Brett Rieman – Lakestone Properties summarized the mixed-use development project at 4719 Farwell Street. The site is currently three lots and they are proposing a CSM to make two lots for the development project. The two lots will comprise of one with a 47-unit apartment building with about 2,000 sq.ft. of commercial space on Lot 2, and the second lot (Lot 1) will be comprised of 12,000 sq.ft. single story retail building. They are doing the project in two phases for timing and financial reasons.

Czebotar closed the public hearing at 7:07 p.m.

b. On proposed Certified Survey Map from Jack Kapinus for the property located at 6116 Overlook Drive in order to combine residential parcels.

Czebotar opened the public hearing at 7:08 p.m. with no one wishing to speak Czebotar closed the public hearing.

c. On proposed Condominium Plat and Declaration from Bizy Lou LLC for the property located at 4719 Siggelkow Road creating Park Woods Condominiums consisting of 6 residential duplex buildings.

Czebotar opened the public hearing at 7:08 p.m.

Jeff Schraml - Schraml Realty Group – representing Bizy-Lou LLC. This project was previously approved as rentals, due to the strong market and desire for ranch style condominiums; they are requesting approval of the condominium plat so they will be owner occupied rather than rental units. There will be three units completed this fall, and the next phase completed in March – April 2020.

Mike Doyle – 5021 Terminal Drive – voiced concerns over water runoff from the site, along with the landscaping. If the units are owner occupied who would be responsible for those issues.

Lou Cheramy – Bizy-Lou LLC felt the dry pond would be able to handle any water issues.

Schraml indicated the developers and builders live in the area, you would be able to contact them with any issues. The developers will be responsible until the condominium association takes over, then the association is responsible for any issues.

Cheramy advised if there were any problems, which were caused by water runoff, they would fix the problem. There should be no impact during normal weather events.

Joan Kranz – 5007 Terminal Drive – voiced several concerns, there is a lot of impervious surface with this project, weather no longer has “normal” standards. She is concerned due to this presented previously as three bedroom units, now advertised as “three or four bedroom” units for sale. Schraml replied the floor plans can be anywhere from two to four bedrooms. Kranz indicated at past public hearings there were concerns over density and parking issues when it was three bedrooms, four bedrooms mean more people, more cars, and less space to park. The developers are making changes to this project without any approval. Kranz indicated she viewed signs on the property, and marketing on the website indicating four bedrooms. Schraml replied the ads she saw are a mistake, there is nothing more than a three bedroom. There is a TV room and a down stairs bedroom, and you can either have a one or two bedrooms upstairs. Schraml stated there really are not any four bedrooms units. It will be just versatile floor plans that can go anywhere up to three bedrooms; there is no other option at that point.

Kranz and Cheramy disused the process of building the units, closeness to the lot lines.

Cheramy wanted to address the four-bedroom option, it is a three bedroom, but the basement has an egress window, anybody could potentially use it as a bedroom, it can absolutely be one, they do not intend to market it that way.

Czebotar closed the public hearing at 7:19 p.m.

d. On proposed Ordinance #2019-15 to amend the zoning code regarding definitions related to yards and the modification of yard setback requirements in the R-1B (Single Family Residence District).

Czebotar opened the public hearing at 7:20 p.m.

Matt Schuenke – Village Administrator –summarized at the previous meeting they discussed possible changes to the R-1B zoning district which is the highest density district, mainly along the lakefront and Yahara river neighborhoods. It is denser than a standard R-1 as many were developed decades ago, when there were likely no standards in place and they were likely cottages built close to one another. The properties have evolved, and taken on properties of standard R-1, but there are issues with corner lots. Schuenke reviewed the standards for corner lots in the area, and the difficulties for building new homes in the area. This will supply some relief in that district and only that district. The change will provide better definition to the terms that are used within the code, and allowing for same side yard setbacks for corner lots in that situation.

Czebotar closed the public hearing at 7:22 p.m.

5. BUSINESS.

a. Discussion and action to make a recommendation to the Village Board on proposed Certified Survey Map from Lakestone Properties, LLC for the property located at 4719 Farwell Street in order to create two lots for a mixed-use development.

Czebotar moved to recommend approval to the Village Board on proposed Certified Survey Map from Lakestone Properties, LLC for the property located at 4719 Farwell Street in order to create two lots for a mixed-use development. Kolk seconded the motion. Motion carried 6-0.

b. Discussion and action to make a recommendation to the Village Board regarding a Certified Survey Map from Jack Kapinus for the property located at 6116 Overlook Drive in order to combine residential parcels.

Bremer summarized this area was platted in 1911 and based on research by the Village Attorney, in the mid 1940's, this 3' parcel was separated for unknown reasons. Kapinus is requesting to add this back to the lot per the original plat. Bremer indicated the CSM should have as a condition to approval to change the Village Clerks name on the document.

Czebotar moved to recommend approval to the Village Board regarding a Certified Survey Map from Jack Kapinus for the property located at 6116 Overlook Drive in order to combine residential parcels, conditioned upon changing the Village Clerk's name to Cassandra Suettinger. Kolk seconded the motion. Motion carried 6-0.

c. Discussion and action to make a recommendation to the Village Board regarding a Condominium Plat and Declaration from Bizy-Lou LLC for the property located at 4719 Siggelkow Road creating Park Woods Condominiums consisting for 6 residential duplex buildings.

Czebotar asked for clarification, all that is being done is this is being changed from rentals to owner occupied condominiums. Everything else, previously approved, will remain the same. Bremer summarized the prior approvals, and that there are no changes to prior approvals, only making the project condominiums. The Village Attorney has reviewed the condominium documents. Kolk inquired if this is the only chance they have to influence anything indicated in the by-laws. Czebotar replied here and at the Village Board meeting. Kolk felt there are many details to be considered. Bremer pointed out buyers will have the opportunity to read and review the by-laws and decide if they agree to them prior to purchasing a unit. Commissioners discussed the by-law approval process, who has the ability to make changes, and the process for changes. Schraml indicated these are very standard by-laws, similar to many other condominium associations. No short-term rentals, number of pets, they were no concerns voiced by the Village Attorney.

Czebotar moved to recommend approval to the Village Board regarding a Condominium Plat and Declaration from Bizy-Lou LLC for the property located at 4719 Siggelkow Road creating Park Woods Condominiums consisting for 6 residential duplex buildings. Rogers seconded the motion. Motion carried 6-0.

d. Discussion and action to make a recommendation to the Village Board regarding Ordinance #2019-15 an ordinance to amend the zoning code regarding definitions related to yards and the modification of yard setback requirements in the R-1B (Single Family Residence District).

Czebotar moved to recommend approval to the Village Board regarding Ordinance #2019-15 an ordinance to amend the zoning code regarding definitions related to yards and the modification of yard setback requirements in the R-1B (Single Family Residence District). Fischer seconded the motion. Motion carried 6-0.

6. STAFF REPORTS

- a. Property Maintenance Report - no comments
- b. Director's Report – no comments

7. SCHEDULE NEXT MEETING DATE.

- a. Monday, September 16, 2019 at 7:00 pm.

8. ADJOURNMENT.

Kolk moved to adjourn, Rogers seconded the motion, motion carried. Meeting adjourned at 7:36 p.m.

Approved