

Minutes
Plan Commission
Meeting

September 16, 2019

Members Present: Dan Kolk, Brad Czebotar, Peter Bloechl-Anderson, Scott Peters

Members Absent: Tom Rogers, Bruce Fischer, Eric Green

Staff Present: Andrew Bremer, Karen Knoll

1. CALL TO ORDER

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

2. PUBLIC APPEARANCES - None

3. APPROVAL OF MINUTES

- a. Motion to approve the minutes of the August 19, 2019 Plan Commission meeting.

Czebotar called the minutes from the August 19, 2019 meeting approved by unanimous consent.

4. PUBLIC HEARING:

- a. On a Conditional Use Permit, request by Ginger Bread House Preschool, allowing for use of a temporary parking lot at 4845 Taylor Road.

Czebotar opened the public hearing at 7:01 p.m.

Matt Kuehl owner of Gingerbread House Preschool. They currently have a temporary gravel parking lot based on a CUP that expired on June 1, 2019. They did not move to renew at that time as they thought the lot was sold. At this time, they would like to request a CUP for the temporary parking lot to be allowed until June 1, 2021 allowing them time to either move forward with the sale of the property or request a more permanent parking lot.

Czebotar closed the public hearing at 7:04 p.m.

- b. On Ordinance No. 2019-17, request by Damian Kraemer, to rezone part of Lot 4, Block 4, Edwards Park (part of Parcel 071034331040), 4519 & 4521 Field Avenue, from C-G Commercial General to R-2 Single and Two Family Residence. Czebotar opened the public hearing at 7:05 p.m.

Ron Combs of Combs and Associates representing Mr. Kraemer on this proposal. They are looking to rezone the property from commercial to residential as there is currently a home on the site, with a CSM they will be adding a small parcel of land to clean up the lot lines so the business is all on one site and the residence is on its own site.

Czebotar closed the public hearing at 7:06 p.m.

- c. On a Certified Survey Map, request by Damian Kraemer, in order to combine parcels located at 5100 Erling Avenue.

Czebotar opened the public hearing at 7:06 p.m., with no one wishing to speak Czebotar closed the public hearing at 7:06 p.m.

- d. On a Certified Survey Map, request by John Fontain Inc., to create four residential parcels located at 5406 Siggelkow Road.

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

Brandon Cook, current owner of the property summarized previously there was a CSM approved which the previous owner did not record. Cook would like to divide this parcel into four separate lots at this time.

David Alsmo – on behalf of his mother, who owns the neighboring property, addressed concerns over the layout, and number of driveways accessing Siggelkow Road.

Cook replied he is removing the barn and the building at the rear of the property. The house potentially will be moved onto lot one, and the garage would be relocated to be closer to the road. He is looking to have the homes sit closer to Siggelkow Road so they have larger backyards. He had looked at circle type driveways, but was advised that would not work. He is now looking at four separate driveways, as he is not sure that homeowners would want to share driveways.

Rick Knoche - 5407 Calico Court – has concerns over the additional impervious surface and homes, how will the water issues be handled. They currently have water issues with the current layout, with additional homes it will only increase. The area around them rarely dries out.

Cook responded he feels it would actually be reducing the amount of permeable land with the removal of the barn and shed.

Armintie Hammonds - 5403 Calico Court – is concerned over the quality of the homes, which would be built on the site. They do not want to see something, which would lower the value of their home. She also voiced concerns over the water issues in the area; they currently have problems with water and flooding in the area and feel additional homes will only add to that. Hammonds wanted to know the actual size of the lots.

Cook responded if he moves the current home, he intends to build three homes in the \$350,000 - \$400,000 range. He originally was going to work with the Fire Department to do training on the existing house; however, he feels it has good potential and is looking to move it. The current home would have a new foundation and upgrades. There will be four equal sized lots.

Czebotar closed the public hearing at 7:18 p.m.

5. BUSINESS

- a. Discussion and action regarding a Conditional Use Permit, by Ginger Bread House Preschool, allowing for construction and use of a temporary parking lot at 4845 Taylor Road.

Czebotar summarized this is a CUP which was granted on January 1, 2018 and expired on June 1, 2019. There are no changes to the conditions approved in 2018; it will continue to be a gravel parking lot for their staff. Kuehl advised he is asking for approval until June 1, of 2021 due to his potential buyers having timelines taking until fall of 2020. He would like until the following spring, as his parking lot is part of the process of the potential sale.

Czebotar moved to approve a request for a Conditional Use Permit, for Ginger Bread House Preschool, allowing for construction and use of a temporary parking lot at 4845 Taylor Road, with an expiration date of June 1, 2021. Kolk seconded the motion. Motion carried 4-0.

- b. Discussion and action to make a recommendation to the Village Board on Ordinance No. 2019-17, request by Damian Kraemer, to rezone part of Lot 4, Block 4, Edwards Park (part of Parcel 071034331040), 4519 & 4521 Field Avenue, from C-G Commercial General to R-2 Single and Two Family Residence.

Czebotar inquired if the parties residing in the home are open to having the additional land added to their property. Combs replied Mr. Kraemer owns both parcels and will be looking to sell the residence. He is looking to clear up the property lines with the rezoning and CSM.

Czebotar moved to recommend approval to the Village Board on Ordinance No. 2019-17, request by Damian Kraemer, to rezone part of Lot 4, Block 4, Edwards Park (part of Parcel 071034331040), 4519 & 4521 Field Avenue, from C-G Commercial General to R-2 Single and Two Family Residence. Kolk seconded the motion. Motion carried 4-0.

- c. Discussion and action to make a recommendation to the Village Board on a Certified Survey Map, request by Damian Kraemer, in order to combine parcels located at 5100 Erling Avenue.

Czebotar moved to recommend approval to the Village Board a Certified Survey Map, request by Damian Kraemer, in order to combine parcels located at 5100 Erling Avenue. Peters seconded the motion. Motion carried 4-0.

- d. Discussion and action to make a recommendation to the Village Board on a Certified Survey Map, request by John Fontain Inc., to create four residential parcels located at 5406 Siggelkow Road.

Bremer made a point of clarification, as the lots are currently zoned R-1, the four lots will continue to be R-1 zoning. In order to build on the lots Cook will need to apply for building permits, including erosion control; however those types of reviews would be at a staff level and would not go back to the Plan Commission or Village Board. Czebotar inquired how the concerns raised tonight are addressed. Bremer replied he will notify the Building Inspector and Village Engineer of the concerns raised tonight. Czebotar directed concerned parties they could leave their name with the clerk so they could be contacted as the project proceeds. Staff can also provide contact information for the Public Works Director regarding concerns over the water issues.

Bremer stated as this is an infill lot he is recommending the Plan Commission recommend fee's in lieu rather than parkland dedication for this project. There are also some deferred assessments and MMSD fees for this property. Kolk felt as the plans move forward reviewing the driveway layout is important as access to Siggelkow Road is going to be challenging.

Czebotar moved to recommend approval to the Village Board a Certified Survey Map, request by John Fontain Inc., to create four residential parcels located at 5406 Siggelkow Road, recommending fees in lieu to be paid in place of land dedication. Peters seconded the motion. Motion carried 4-0.

- e. Discussion and action to schedule a public hearing to revoke the Conditional Use Permit for 4313 Triangle Street for temporary outdoor storage.

Bremer summarized on October 15, 2018 the Plan Commission approved a temporary Conditional Use Permit for outside utility staging storage at 4313 Triangle Street. This related to TDS work in the Village. As part of the approval, there was a requirement for the fence to have tan slats, and around the front and side of the fence was to be landscaping. To date the slats and the landscaping have not been installed. Per the ordinance, the Plan Commission has to meet to decide if they want to consider holding a public hearing regarding the CUP. At that time, there are various options, which would be considered. Bremer would like to see the Commission move forward with the public hearing and at least set a time limit on the CUP as when it was issued there was not one. You also have the option of not holding a public hearing and waiting to see if the owner meets the conditions.

Commissioners discussed options, potential end dates for the project and the need for outdoor storage at the site. Kolk questioned what a public hearing would add. When this was approved the Plan Commissions requirements were very clear, the owner was clear he understood what was expected, and, that his deadline for completion of the fence and landscaping was June 1, 2019. While it is clear this is an issue between the property owner and his tenant, Kolk saw no reason not to move forward. Czebotar inquired of Bremer if the property owner was aware this was going to be on tonight's agenda. Bremer responded yes the owner was aware this would be on tonight's agenda.

Czebotar moved to schedule a public hearing to determine whether to revoke the Conditional Use Permit for 4313 Triangle Street for temporary outdoor storage to be held October 21, 2019. Bloechl-Anderson seconded the motion. Motion carried 4-0.

6. STAFF REPORTS

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

7. SCHEDULE NEXT MEETING DATE

- a. Next meeting October 21, 2019

8. ADJOURNMENT

Motion to adjourn by Kolk, Czebotar called the meeting adjourned by unanimous consent. Meeting adjourned at 7:46 p.m.