

Plan Commission Minutes August 15, 2023, at 7:00 P.M.

Members Present: Carolyn Clow, Peter Bloechl-Anderson, Stephanie Brassington, Chris Reynolds, Jill Halverson

Members Excused: Scott Peters, Austen Conrad,

Staff Present: Andrew Bremer, Kong Thao, Karen Knoll

1. CALL TO ORDER, ROLL CALL

Chair Clow called the meeting to order at 7:02 P.M.

2. PUBLIC APPEARANCES.

None.

3. APPROVAL OF MINUTES

- a. Motion to approve the minutes of the July 18, 2023, Plan Commission meeting.

Clow moved to approve the minutes of the July 18, 2023, Plan Commission meeting. Brassington seconded the motion. Motion carried 3-0-2, with abstention from Reynolds and Halverson.

4. BUSINESS

- a. Discussion and action on a Certified Survey Map (CSM) requested by Kolton and Elizabeth Urso to create a two-acre single family parcel located at 4056 Mahoney Road, Town of Dunn, WI.

No new information was presented by Staff since the public hearing in July. Clow motioned to approve a Certified Survey Map (CSM) requested by Kolton and Elizabeth Urso to create a two-acre single family parcel located at 4056 Mahoney Road, Town of Dunn, WI. Motion seconded by Brassington. Motioned passed 5-0.

- b. Discussion and action on a Certified Survey Map (CSM) requested by Lineage Logistics Services LLC for 4704 Terminal Drive.

No new information was presented by Staff since the public hearing in July. Clow motioned to approve a Certified Survey map (CSM) requested by Lineage Logistics Services LLC for 4704 Terminal Drive conditioned on updating the boundary description and map to reflect the metes and bounds description of the

outer boundary of proposed Lot 1 prior to recording with the Dane County Register of Deeds. Motion seconded by Brassington. Motion passed 5-0.

- c. Discussion and action on a Conditional Use Permit requested by Lyschel Bersch for wholesale and warehouse uses for a candle supply business located at 4903 Commerce Court.

No new information was presented by Staff since the public hearing in July. Clow motioned to approve a Conditional Use Permit requested by Lyschel Bersch for wholesale and warehouse uses for a candle supply business located at 4903 Commerce Court

with the following condition of approval:

1. The applicant to maintain storage of wax no greater than 6 feet in height unless approved by the McFarland Fire & Rescue Department.

Motion seconded by Brassington. Motion passed 5-0.

- d. Discussion and action on a Site Design Review Permit for an accessory structure requested by Flint Hills Resources located at 4405 Terminal Drive.

Thao provided summary of the agenda item addressing the relative scale and structure proposed. The Commission discussed the structure's intended use and design.

Clow motioned to approve a Site Design Review Permit for an accessory structure requested by Flint Hills Resources located at 4405 Terminal Drive as submitted. Motion seconded by Bloechl-Anderson. Motion passed 5-0.

- e. Discussion and action on a Site Design Review Permit for an accessory structure requested by Avant Gardening & Landscaping located at 3055 Siggelkow Road.

Thao provided summary of the agenda item addressing the relative scale and structure proposed. The Commission discussed the structure's intended use and design. Tom and Randi Payne, both located at 3063 Siggelkow Rd, completed the Public Comment Forms to express opposition to the agenda item. Both did not speak at the meeting.

Clow motioned to approve a Site Design Review permit for an accessory structure requested by Avant Gardening & Landscaping located at 3055 Siggelkow Road as submitted. Motion seconded by Bloechl-Anderson. Motion passed 5-0.

- f. Discussion on a preapplication development concept plan submitted by Tim Neitzel for a 53-unit multifamily building located at 5513 Bremer Road.

Clow provided procedures for the preapplication prior to Bremer's review of the staff summary. Clow emphasized the item is for discussion only and no action will be considered at this time. Bremer addressed the discrepancy of the total number of units, pointing out the two studio units on the first floor which adds an additional unit. Bremer provided the Commission and the attendees with details on what a preapplication meeting includes and its possible proceedings. Bremer provided staff summary addressing the adjacent properties and their current zoning, past activities associated with the property, and how the proposed project compares with the comprehensive plan and existing zoning. Bremer provided additional comments related to Figure 4.2 of the comprehensive plan within the staff summary as it relates to setback distances, building elevations, yard spaces, staff recommendations for sustainable features, driveway and traffic concerns, and parking.

Jacob Morrison, Knothe & Bruce Architects, provided comments on the conceptual plans submitted, floorplan layout, parking, and its amenities.

Clow opened the item for public comment at 7:46 PM.

The following individuals spoke in opposition to the proposed concept plan:

- Stuart Allbaugh, 5622 Lake Edge Rd
- Sue Smith, 5434 Bremer Rd
- Dorice Hughes, 5508 Bremer Rd
- Andrew Bouffiou, 5435 Bremer Rd
- Maureen Gaffney, 5504 Bremer Rd
- Lars Barber, 5434 Bremer Rd
- Michele Bouffiou, 6004 Johnson St
- Janine Turner, 5516 Bremer Rd
- Dawn Faust, 5426 Bremer Rd
- Timothy Gill, 5410 Bremer Rd
- Jim St. Vincent, 2889 Bible Camp Rd & Yahara Lakes Association
- Mark Neidinger, 5411 Norma Rd
- Terri Bouffiou, 5410 Norma Rd
- Colleen Murphy, 5201 Norma Rd

Concerns expressed by those who spoke in opposition included:

- Size of the project is too big, number of dwelling units per acre is too high.
- Development would alter character of neighborhood.
- Consistency with existing zoning.

- Consistency with the Comprehensive Plan.
- Impacts to traffic on Bremer Road. No additional entrances from Terminal Drive.
- Impacts from water run-off on adjacent properties and Lake Waubesa.
- Impacts to safe pedestrian and bicycle traffic on Bremer Road.
- Not enough off-street parking spaces.
- Impacts to existing woodlands, wildlife, and natural habitats.
- Impacts from vehicle headlights on adjacent properties.
- Impacts from increased noise.
- Precedence for development of the adjacent woodland property on Terminal Drive.
- Impacts to the School District, classroom sizes, and property taxes

Attendees present at the meeting not wishing to speak but completed a public comment form expressing opposition to the proposed project are as provided: Dan & Kathy Piekarz, 5600 Lake Edge Rd #210; Toby Reible, 5401 Norma Rd; Mike Klune, 5508 Bremer Rd; Doreen Runge, 4515 Bellevue Ct; Tim Gaffney, 5504 Bremer Rd; Jim Opoien, 5604 Lake Edge Rd #105; Randall Snell, 5604 Lake Edge Rd #203; Randell & Nancy Legler, 5600 Lake Edge Rd #111; Debra Crye, 5217 Glen Rd.

Seth Allen, property owner of 5513 Bremer Rd, was present and in support of the project. Allen did not speak.

Clow closed the public comments at 8:34 PM. Clow provided clarification on some of the comments made by the attendees who spoke, stating that the item was for discussion only and that the Village did not receive an official application, therefore no decisions will be made at this meeting.

Brassington asked the architect team about the themes heard by the public. The architect team commented on being open to incorporating some of the feedback into future planning with the developer. The Commission discussed the zoning classifications and the comprehensive plan's future land use map for the property and surrounding properties. Bloechl-Anderson confirmed with Bremer that the proposed concept would require both a comprehensive plan amendment and a rezone approval from the Village Board. Bremer indicated that the next steps for the developer after the pre-application meeting include deciding whether they want to submit official permit applications for the project as proposed or as modified, further refine the concept in some manner for continued pre-application discussion, or drop the project entirely. Bremer indicated there is no specific timeline for these activities.

- g. Discussion and action to recommend to the Village Board a proposal from MSA Professional Services for Land Use Planning for Redevelopment District Plans No. 1 & 2.

Bremer provided summary on the agenda item highlighting the project's timeline, schedule of project meetings, and MSA's proposal. Discussion from the Commission included MSA's budget layout, scheduled meetings and project timeline. Clow motioned to recommend to the Village Board approval of a proposal from MSA Professional Services for Land Use Planning for Redevelopment District Plans 1 & 2. Motion seconded by Bloechl-Anderson. Motion passed 5-0.

- h. Discussion regarding proposed changes to Chapter 8, Article XVII, Site Erosion Control and Article XVIII Stormwater Management.

Bremer provided a summary on the agenda item addressing reasoning for the changes. Action on the proposed amendments will be considered at the next scheduled Plan Commission Meeting.

- i. Discussion regarding proposed changes to Chapter 62, Zoning regarding solar energy collection systems.

Bremer provided a summary on the agenda item addressing areas where new language is expected to be added. Action on the proposed amendments will be considered at the next scheduled Plan Commission Meeting.

- j. Discussion and action regarding Plan Commission procedures and timelines for considering action on applications requiring public hearings.

Bremer provided a summary on the agenda item and the Commission's practice to delay action on applications requiring a public hearing to the next meeting. The Commission discussed the compiled two years of agenda items requiring public hearings and those that received an objection, details of current practices and proposed practices changes. Bremer noted that the majority of the public hearings did not have registered opposition and therefore the Plan Commission may be adding unnecessary delay if staff and the Commission are otherwise ready to take action on the application. The Plan Commission discussed that the majority of public hearings did not have registered opposition and that the additional month between the public hearing and action usually didn't result in additional public input at the next meeting. Bremer noted that Option 3 from his staff report is the same procedures used by the Dane County Zoning and Land Regulation Committee.

Clow motioned to direct Community Development Department staff to prepare future Plan Commission applications, adjacent property owner public hearing notifications, and agendas utilizing the written procedures under Option 3 of the staff report.

- Option 3 in the of the Staff Report states: As a matter of default for all applications requiring a public hearing include an agenda item under Business for action that evening; however, at the start of the public hearing provide all interested parties with a reading of the following Plan Commission public hearing procedure: *"If there is written or verbal public opposition submitted as part of the public hearing the Plan Commission will postpone action on the application to a subsequent meeting so that concerns can be analyzed. If there is no public opposition and no unresolved issues by Village Staff or Plan Commission members, the Plan Commission may take action on the application under Business items this evening."*

Motion seconded by Brassington. Motion passed 5-0.

5. SCHEDULE NEXT MEETING DATE.

- a. Tuesday, September 17, 2023 at 7:00PM

6. ADJOURNMENT.

Brassington motioned to adjourn, Halverson seconded the motion. Motion carried 5-0. Meeting adjourned at 9:18 PM.