

Minutes

Town of Ledgerview Zoning & Planning Commission

February 13, 2013

Members Present: Chairwoman Jane Tenor, Vice Chairman Mark Handeland, Todd Hendricks, Rebecca Afshar, Joel Pansier, Renee Van Rossum and Al Case.

Support Staff Present: Sarah Burdette (Town Clerk/Administrator), Scott Brosteau (Town Engineer) and Renae Peters (Recording Secretary)

The meeting was called to order at 6:00pm by Chairwoman Jane Tenor.

Approve/ Amend Agenda: Renee Van Rossum made a motion to approve the agenda as posted. Todd Hendricks seconded the motion. Motion carried.

Minutes: Mark Handeland made a motion to approve the December 12, 2012 minutes as written. Al Case seconded the motion. Motion carried.

Public Hearings: None

New Business:

- a. The Commission reviewed the request for signs at Bleu Restaurant, located at 2200 Dickinson Rd. Unit 15 made by Ron Schoenfeld, owner. This property is exempt from sign public hearings due to a prior NCD ordinance approval. While both the sign located on the building and the sign located at the Dickinson Rd road entrance meet code, the entrance sign is considered temporary. Mr. Schoenfeld stated the Old School Square condo association has not made a decision on a permanent location for signs at the entrance. Temporary signs are only allowed for 30 consecutive days. Additional trash receptacle area may be a future agenda item. The Commission is willing to extend the temporary sign request as long as it is not in the road right of way and doesn't block traffic vision. Rebecca Afshar made a motion to recommend approval of the building sign as requested and approval of the temporary sign until the May 15, 2013 zoning and planning meeting. Renee Van Rossum seconded the motion. Motion carried.
- b. The Commission reviewed the request by Rob Harris, agent for Mark Dugre, owner, for a CSM to create a lot on parcel D-416, located at 5340 Sportsman Rd. Staff recommends approval as it meets plat regulations and conforms to the zoning requirements. The existing home will be located on the created parcel.

- De Pere has extra territorial review on this property. Mark Handeland made a motion to recommend approval of the CSM. Rebecca Afshar added a condition to the motion that the graphic scale and state seal must be added to the CSM. Joel Pansier seconded the motion. Motion carried.
- c. The Commission reviewed the request by Rob Harris, agent for Mark Dugre, owner, to rezone the lot created above from A-2 to RR. This follows suit of the surrounding parcels. Rebecca Afshar made a motion to recommend approval of the rezone pending public hearing approval. Joel Pansier seconded the motion. Motion carried.
 - d. The Commission reviewed the request by Rob Harris, agent for Mark Dugre, owner, for an area development plan of parcel D-416, adjacent to the lot created above. Roads and possible lots meet staff approval. If approved by the Commission, this would be added to a future use map for reference. This is in accordance with the sewer master plan created in 1999. Rebecca Afshar made a motion to recommend approval of the ADP. Renee Van Rossum seconded the motion. Motion carried.
 - e. The Commission reviewed a request by Brad Westfahl of Corrigan's CBS, agent for Dave Wouters, owner, for a CSM creating a lot on parcel D-446-1 located at 4600 Heritage Heights Dr. The lot was created to accommodate the rezone and ADP requests. The acreage meets code but the road frontage does not. (See point f for rezone request with PDD overlay.) There will be a cul de sac built by the owner leaving a remnant of road if Heritage Heights is extended in the future. The Town and Mr. Wouters are working together for an agreement to dedicate the road right of way and to get rid of the remnant if there is future road extension. A road easement was not considered due to the narrowness of the road. The Commission was concerned about the number of cars traveling Heritage Heights and Mr. Wouters assured them most travel would be during the day. There is minimal outside lighting. Mark Handeland made a motion to recommend approval of the CSM with the condition of the future road right of way dedication agreement. Todd Hendricks seconded the motion. Motion carried.
 - f. The Commission reviewed the request by Brad Westfahl of Corrigan's CBS, agent for Dave Wouters, owner, to rezone the lot created above from A-2 to B-2 with a PDD overlay. Building use will consist of a meeting place for caregivers of ill family and friends. Due to the uniqueness of the use of the building, there is no specific zoning label. Staff recommended B-2 with a PDD overlay as a best fit for use and road frontage. The Commission discussed the benefit of zoning the parcel I-1 Institutional with a conditional use permit. Joel Pansier made a motion to deny the request to rezone the lot to B-2 with a PDD overlay. Mark Handeland seconded the motion. Motion carried. Joel Pansier made a motion to recommend the project be rezoned from A-2 to I-1 with a conditional use permit. Al Case seconded the motion. Rebecca abstained from voting. Motion carried. Rebecca Afshar made a motion to amend the zoning code for Institutional to

allow a conditional use for a caregiving for care givers facility. Mark Handeland seconded the motion. Motion carried.

- g. Jane Tenor made a motion to table items g and h (D-446-1 area development plan and site plan, respectively) until the April 10, 2013 zoning and planning meeting. Mark Handeland seconded the motion. Motion carried.
- h. See above.
- i. The Commission reviewed the request by David Meister, agent for Robert Toonen, owner, for a site plan PDD for 4 8-unit apartment buildings on parcel D-50-4, located at the corner of Silverstone Ct. and Heritage Rd. The original PDD was approved in June 2010. No building permits were issued for this project. The PDD request is due the abundance of building masonry, water and sewer issues and front and side setbacks. The site plan meets current ordinances. Al Case asked if this current review was within the multi-family ratio and if the length of time since the last approval affected current approval. The multi-family ratio included these 48 units and no time frame was put on building permit issuance. Rebecca Afshar asked about trash space and further review showed a shared dumpster currently on the property. Mr. Meister said the project should start this summer. Rebecca Afshar made a motion to recommend approval of the site plan contingent on public works approving the water and sewer plan and that any state approval occur at the time building permits are issued. Renee Van Rossum seconded the motion. Al Case, with a second by Joel Pansier, amended the motion to include that a review of the multi-family ratio be made before Town Board approval. Motion carried.
- j. The Commission reviewed the request by Shawn McKibben, agent for Oak Park Place Communities, owner, for a CSM to combine parcels D-218-1, D-218-2 and a portion of D-218-4, located on Dickinson Rd. The combined parcel would meet CSM and zoning requirements though water and sewer easements will need to be provided on a separate agreement. The utility service would come from the north. Rebecca Afshar made a motion to recommend approval of the CSM with the condition of the water and sewer easement agreement being made. Renee Van Rossum seconded the motion. Motion carried.
- k. The Commission reviewed the request by Shawn McKibben, agent for Oak Park Place Communities, owner, to rezone the above parcel from RR to I-1. The Commission decided against opening the meeting to public comment. Current use of the property falls under Institutional though it is not zoned that way. Since planned parking is 10 feet from the road right of way, staff recommends amending the request to include a PDD overlay. The building cannot be shifted to the north to accommodate the 25 foot green-space requirement. Joel Pansier made a motion to recommend the rezone request with the amendment to add the PDD overlay. Mark Handeland seconded the motion. Motion carried.
- l. The Commission reviewed the request by Shawn McKibben, agent for Oak Park Place Communities, owner, for a site plan for a facility consisting of independent, skilled nursing, memory care and assisted living. Per staff, the site plan meets ordinance and zoning requirements. Staff does require a stormwater plan, a

stormwater maintenance agreement and state approved plans prior to a building permit being issued. Maximum height of any building in this zoning is 35 feet and this building will be within the allowable height. All but the assisted living building will be sprinklered. The circular lane around the building will allow for fire truck access. The independent living residents will have underground parking and staff will have 68 stalls in the front of the building, off Dickinson Rd. There are three driveways, all approved by the county. Mr. McKibben said traffic patterns will not increase by much and any lighting will be low and angled away from residences. He said the building will be built all at once, not in phases. Rebecca Afshar made a motion to recommend approval of the site plan with the following conditions to be met before building permit issuance: a stormwater plan, a stormwater maintenance agreement, state approved plans and a successful public hearing at the Town Board level. Al Case seconded the motion. Motion carried.

Old Business: None

Zoning Administrator Report:

- a. Future Agenda Items:
 1. Aaron Schuette from the county will be here to speak about the Working Lands Initiative in April.
 2. Subdivision plat conservancy and road vacations
 3. Institutional zoning code amendment
 4. Comprehensive Plan rewrite

Communications:

Rebecca Afshar asked if Town population has been on track with the comp plan expectations. Sarah said they have exceeded the plan. Jane Tenor asked if the Town has adequate zones. All agreed that we do. Jane Tenor asked if there was any space in the Town that could be set aside as a type of nature preserve for school children. Sarah mentioned the park system.

Renee Van Rossum made a motion to adjourn at 8:17pm. Joel Pansier seconded the motion. Motion carried.

Minutes prepared and signed on February 14, 2013 by:

Rena Peters
Recording Secretary