

The Ledgeview Zoning & Planning Commission held a meeting on **Wednesday, February 14, 2018 at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

1. Call meeting to order.

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

2. Roll call.

Members present were Chairwoman Jane Tenor, Vice-Chair Mark Handeland, Commissioners Mark Chambers, Renee Van Rossum, Taurino Garcia, and Kris Baran. Commissioner Chet Lamers was excused.

Staff present were Planner Dustin Wolff and Clerk Charlotte Nelson.

3. Approve/amend agenda.

Handeland/Chambers to approve the amended agenda as written. No further discussion. Motion carried in a voice vote, 6-0

4. Act on minutes from January 10, 2018

MOTION by Van Rossum/Baran to approve as written. No further discussion. Motion carried in a voice vote, 6-0.

5. Public Hearings: None

6. New Business:

a. Review and make recommendation on the request by Richard Huxford, agent for Edna Carter, owner, for a Certified Survey Map on parcel D-77, 1445 Viking Lane, creating two parcels.

The petitioner requests a 2 (two) lot Certified Survey Map for the division of a 4.89-acre parent parcel. Lot 1 will face Viking Lane, Lot 2 will be on the corner of Viking Lane and Swan Road.

There was a Zoning Board of Appeals Meeting held January 22, 2018 for a greenspace variance on this request. The variance from the greenspace requirement was granted with conditions allowing Lot 1 to have 15.3% greenspace and Lot 2 16.8%. The current greenspace requirement is 25% of the total lot area shall remain greenspace.

After completing an evaluation of the CSM with the current code and regulations, staff recommends approval of the CSM with the following conditions:

1. Adhere to all conditions recommended with the variance approved by the Zoning Board of Appeals.
2. Identify on the CSM any environmentally sensitive areas as well as setbacks required from them.
3. Revise the CSM to show the 30-foot building setback from Viking Lane and Swan Road.
4. Add a notation on the CSM indicating that future sidewalk facilities will be installed along Swan Road within the public right-of-way.
5. Address any technical corrections as required by Brown County or the Town Engineer.
6. Record the variance approval and conditions with the CSM at the Brown County Register of Deeds.

MOTION by Handeland/Baran to recommend approval of the resolution. No further discussion. Motion carried in a voice vote, 6-0.

b. **Review and discuss proposed changes to Chapter 135: Zoning relating to parking for Recreational Vehicles (RVs), Trailers, Boats and related equipment.**

This item is meant to be introduced at tonight's meeting. This request is coming from the Code Enforcement Officer who is receiving complaints from residents for parking/storing their recreational vehicles in the backyards of homes, causing an eyesore. Staff will research other communities to see how this is handled. The Commission would like more information from the Code Enforcement Officer.

No Action taken.

c. **Review and make recommendation on the request by John Kruczek, owner, for a Zoning Change Application on parcel D-92-1, 3636 Kewaunee Road from B-2, Business District, to LI, Light Industrial to accommodate a new building.**

The petitioner is requesting to rezone the property from B-2, Business District, to LI, Light Industrial, in association with a building addition and new building construction.

The 9.6-acre property is currently used as an operations site for Kruczek Construction including an office and storage yard containing mechanical equipment, vehicles, and materials. The surrounding land uses are agricultural. The B-2 District is designed primarily to accommodate commercial activities and services needs of area residents. Permitted uses include clinics, grocery stores, and dry cleaners. The site is not particularly suitable for these uses despite its location in a rural portion of the Town. The site is much more appropriately suited for Light Industrial use which provides an environmentally suitable use for industrial activities that do not create appreciable nuisance or hazard. Uses may include warehousing, storage, and limited low intensity manufacturing.

Few Environmentally Sensitive Areas on site does not limit the usable area. Similarly, the parcel is not served by municipal sewer and water, which may be typically associated with neighborhood and commercial uses zoned B-2. This part of Town has seen little development of any kind. While the Village of Bellevue continues to develop along US 141 to the north, development both with Bellevue and within Town has not reached this far east.

The Town's Comprehensive Plan illustrates the properties for inclusion in the Planned Industrial/Business Park. The proposed rezoning petition is consistent with the adopted Plan. It should be noted that the Business Park Plan contains more stringent screening and outdoor storage requirements which would be expected to be met as this area develops.

Based on the evaluation of key "findings of fact" a recommendation of approval is based on the following:

- The proposed rezoning to the LI district is consistent with the current zoning of the surrounding parcels and development trends in the area.
- The land is suitable for continued use of the site as a contractor yard including an office and indoor and outdoor storage.
- The proposed zoning district conforms to the goals and land use illustrated on the Future Land Use Map of the adopted Comprehensive Plan.

MOTION by Handeland/Van Rossum to recommend approval of the prepared resolution. No further discussion. Motion carried in a voice vote, 6-0.

7. **Old Business:**

a. **Review and make recommendation on the proposed changes to Chapter 135: Zoning relating to architectural requirements/allowable building materials.**

Approved at the March 14, 2018 Zoning & Planning Meeting.

Approved at the March 20, 2018 Town Board Meeting.

This code amendment has been discussed several times by The Commission. This is the final language that came out of those previous discussions.

MOTION by Handeland/Van Rossum to recommend approval of these changes. No further discussion. Motion carried in a voice vote, 6-0.

b. **Review and make recommendation on the request by Deterville Lumber, agent for John Kruczek, owner, for a Building, Site, and Operation Plan Application for a private storage building on parcel D-92-1, 3636 Kewaunee Road.**

This parcel is currently zoned B-2, Business District. A previous agenda item recommended rezoning this parcel to LI, Light Industrial.

On November 29, 2017, the property owner applied for a building permit to construct a new, stand-alone, storage building and an addition to an existing shop building with two separate builders. These applications were introduced to The Commission at the December 2017, meeting. It was explained to the property owner at that time that the Town was in the process of amending their allowable building materials code and advised the owner to wait until the amendment was approved so that the proposed buildings could be constructed with the desired building materials.

In evaluating and inspecting the parcel, the overall site plan meets the current code requirements. There is a question regarding greenspace. It appears that the greenspace requirement may be in violation of the 25% requirement. It is unknown at this time if there is a violation due to snow and equipment parked in the greenspace. However, The Commission determined that when the snow is gone, the equipment will be removed as well, because construction will start around the same time. Therefore, there was a condition attached to the approval recommendation.

The Commission is recommending the approval of the allowable building materials because they are consistent with the existing buildings.

Based on the evaluation of current code requirements the recommendation is approval of the new storage building based on the following conditions:

- Relocate mechanical equipment, vehicles, and other equipment and materials stored outside behind the new building.
- Increase the amount of open space on side by removing impervious area and planting grass or relocating the aforementioned items.

MOTION by Handeland/Baran to recommend approval of the new building with the proposed materials with the conditions that the 25% greenspace requirement is complied with. No further discussion. Motion carried in a voice vote, 6-0.

c. **Review and make recommendation on the request by Rhett Nimmer, agent for John Kruczek, owner, for a Building, Site, and Operation Plan Application for a commercial heated shop and offices on parcel D-92-1, 3636 Kewaunee Road.**

This parcel is currently zoned B-2, Business District. A previous agenda item recommended rezoning this parcel to LI, Light Industrial.

On November 29, 2017, the property owner applied for a building permit to construct a new, stand-alone, storage building and an addition to an existing shop building with two separate builders. These applications were introduced to The Commission at the December 2017, meeting. It was explained to the property owner at that time that the Town was in the process of amending their allowable building

materials code and advised the owner to wait until the amendment was approved so that the proposed buildings could be constructed with the desired building materials. The Commission is recommending the approval of the allowable building materials because they are consistent with the existing building.

Greenspace is not an issue when applied to the shop addition, however would be with the addition of a new stand-alone storage building.

MOTION by Handeland/Garcia to recommend approval of the addition to the building. No further discussion. Motion carried in a voice vote, 6-0.

d. **Continue review and discussion on the proposed changes to Chapter 135: Zoning relating to permitted uses, etc. (reduce listing to more general categories or a matrix).**

The intent would be to get the list into a matrix because they're easier to read, understand, and can create groups or categories. Staff showed the framework of the matrix, however, this continues to be a work in progress. No action taken.

e. **Continue review and discussion on the proposed changes to Chapter 135: Zoning relating to canopy regulations.**

There was discussion on the following, but no action taken:

- Location and separation requirements between the canopy and the store.
- Canopy clearance, the industry standards of 15ft and 18ft.
- Requiring a pitched roof on the canopy to match the store.
- Current code allows up to 20% of the parcel to be canopy; staff will look at comparables.
- Strongly recommend or require the use of planters vs. bollards which can double to meet greenspace requirement.
- Music or commercials playing in the canopy, The Commission should think about an hour limitation.

Status update was given, this is a work in progress. No action taken.

f. **Continue review and discussion on the proposed changes to Chapter 135: Zoning relating to outdoor storage in commercial districts.**

There was a lot of discussion on requiring a dedicated non-paved area for outdoor storage. Examples were looked at. Status update was given, this is a work in progress. No action taken.

g. **Review and make recommendation on the Monroe Road (CTH GV) Neighborhood Center District (NCD) Pattern Book and Ledgeview Tax Incremental District #1 Marketing Materials.**

The Pattern Book and Marketing Materials were approved by the Redevelopment Authority at their January 17, 2018 Meeting where there were some changes made. Therefore, it came back to the Zoning & Planning Commission for review.

MOTION by Garcia/Van Rossum to recommend approval of the Pattern Book and Marketing Materials for the Monroe Road Neighborhood Center District. It should be noted that the approval of the Pattern Book and Marketing Materials is done by resolution. No further discussion. Motion carried in a voice vote, 6-0.

h. **Review and make recommendation on the Design Guidelines for the Development of Olde School Square.**

The Olde School Square Design Guidelines were approved by the Redevelopment Authority at their January 17, 2018 Meeting where there were some changes made. Therefore, it came back to the Zoning & Planning Commission for review.

MOTION by Handeland/Baran to approve the resolution for the Olde School Square Design Guidelines. No further discussion. Motion carried in a voice vote, 6-0.

8. Discuss work plan.

There was discussion on the Joint Zoning & Planning/Park & Recreation Committee Meeting. There will be additional joint meetings scheduled in the future to continue work on items of mutual concern such as view shed preservation.

9. Staff Report.

a. Update on future agenda items.

- Look for some future plats that have been submitted
- Ordinance review and updates as time allows

b. Review Town Board decisions.

- Working on approval of The Crossing at Dollar Creek Phase 2 which will be on the next Town Board agenda.

10. Communications by Commission Members. None.

11. Adjourn.

MOTION by Handeland/Chambers to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting adjourned at 8:26 p.m.

Respectfully submitted,

Charlotte K. Nelson, Clerk
Town of Ledgeview, Brown County, WI