

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

1. CALL TO ORDER

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

2. ROLL CALL

Members present were Chairwoman Tenor, Vice Chairman Handeland, Commissioners Van Rossum, Garcia, and Baran. Excused were Commissioners Lamers and Chambers.

Staff present were Planner Dustin Wolff and Clerk Charlotte Nagel.

3. APPROVE/AMEND AGENDA

Staff asked to switch New Business Item e with d around. MOTION by Van Rossum/Baran to approve agenda with those changes. No further discussion. Motion carried in a voice vote, 5-0.

4. Act on Minutes from October 10, 2018.

MOTION by Van Rossum/Tenor to approve the October 10, 2018 minutes as written. No further discussion. Motion carried in a voice vote, 5-0.

5. PUBLIC HEARINGS: None.

6. NEW BUSINESS:

a. Review and make recommendation on the request by David Chrouser of Mau & Associates, agent for owner Steinmar Properties, LLC, for a combination Certified Survey Map on parcels D-1649 and D-1650, 395 Angels Touch Court to accommodate a future assisted living facility.

The petitioner is requesting the approval of a Certified Survey Map (CSM) for the consolidation of two parcels into one 1.44-acre plot. The parcels are vacant, but the petitioner intends to develop an assisted living facility at which point the petitioner would re-submit applications to rezone the parcel to R-1/IO Institution Overlay. The land is zoned R-1 Residential (Parcel D-1649) and R-2 Residential (Parcel D-1650). The lots access Angles Touch Court.

The CSM meets all the Town requirements, therefore the recommendation is for approval of the CSM to the Board via the prepared resolution conditioned upon:

1. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.

MOTION by Handeland/Van Rossum to approve the resolution recommending approval of the CSM to the Town Board. No further discussion. Motion carried in a voice vote, 5-0.

b. Review and make recommendation on the request by David Chrouser of Mau & Associates, agent for owners Hein, Umentum, and Albrecht for a three (3) lot Certified Survey Map on parcels D-212-4, D-211-1, D-211, and D-209 located on Hawthorne Heights Drive.

The petitioner is requesting the approval of a Certified Survey Map (CSM) for the reconfiguration of 4 parent lots totaling 11.68 acres into 3 lots. Lot 1 will have 4.12 acres, Lot 2 will have 4.97 acres and Lot 3 will have 2.59 acres. The land is zoned R-R, Rural Residential. The lots will access Hawthorne Heights Drive. A “stub” portion of the Hawthorne Heights right-of-way will need to be vacated as part of this approval process. That process has not been initiated to date. An easement along Lot 1 is needed for sanitary services to other properties. This CSM should be revised to illustrate the easement as well as the existing 20-foot water main easement.

Approved at the December 12, 2018 Zoning & Planning Commission Meeting.

Approved at the December 18, 2018 Town Board Meeting.

The recommendation is approval to the Town Board via the prepared resolution with the following conditions:

1. Need to initiate and complete ROW vacation prior to Town signature
2. Revise CSM to illustrate the following:
 - a. ESA areas that impact the property, and the notation required by Brown County
 - b. Existing 20-foot water main easement
 - c. Easement on Lot 1 for sanitary services to other properties
 - d. Reconfigure Lot 2 to meet the 150- comply with the 150-foot required width at the base setback line to the maximum extent practical.
 - e. Change Town Clerk name on signature page to Charlotte Nagel.
3. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.

There was discussion regarding condition 2d. Since this is a retracement CSM lot 2 is not required to become complaint with current code.

MOTION by Handeland/Baran to recommend approval to the Town Board via the prepared resolution striking item 2d. No further discussion. Motion carried in a voice vote 5-0.

c. Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for owners Giardino, Everson, and Van De Yacht, for a four (4) lot Certified Survey Map on parcels D-197, D-198-2, D-209-1-1, and D-198 Dickinson Road as part of the Augusta Hills Condominium Plat.

The petitioner is requesting the approval of a Certified Survey Map for the subdivision of a 29.00-acre parent parcel into two (2) parcels measuring 9.24 acres (Lot 1) and 18.71 acres (Lot 2). A request to rezone lands from R-R, Rural Residential to R-1 Single-Family Residential with PDD, Planned Development District Overlay located between the 1800 block of Hawthorne Heights Drive and Dickinson Road (CTY G) on parcels D-197 and D-198-2 was approved by the Zoning & Planning Commission on September 12, 2018, and a request to rezone lands from R-R, Rural Residential to R-1 Single-Family Residential with PDD, Planned Development District Overlay located between the 1800 block of Hawthorne Heights Drive and Dickinson Road (CTY G) on parcel number D-209-1-1, and portions of parcels D-198, D-198-2 was approved by the Zoning & Planning Commission on August 15, 2018. The lots will access Dickinson Road.

Lots in the R-R District are required to have a minimum width of 90-feet at the base setback line, and the minimum area of 12,000 square feet. The proposed lots comply with these requirements. Required building setbacks for R-1 lots without curb and gutter are 35-feet from the right-of-way. However, this development has been rezoned to R-1/PDD, and a condominium plat will proscribe the setbacks. The "leg" of Lot 1 that extends to Hawthorne Heights should be in an Outlot for possible dedication to the Town for park and recreation purposes. Outlot 1 should be extended to the created Outlot 2. The Park Board has indicated that, in accordance with the Park Plan, it may require the dedication of Outlot 1 and Outlot 2 for future path/trail connection. This item will be studied further following the improvements to Scray Hill Road planned for 2019.

If Outlot 2 to created, Lot 1 will not have frontage as required under the Subdivision Code. Lot 1 is planned to have direct access to Dickinson Road as part of the Augusta Hills development. A variance from this requirement will be required from the Zoning Board of Appeals to allow for the parcel without frontage.

All lots will access Dickinson Road. The petitioner must confirm that Brown County will not require additional right-of-way dedication for Dickinson Road. A utility easement will be required as part of the condo plats and is required for future public utilities.

The recommendation is approval to the Town Board via the prepared resolution with the following conditions:

1. A notation added to the CSM indicating Lots will be required to connect to public sanitary sewer and water when available.
2. Utility easements need to be illustrated on condo plat.
3. Revise CSM to illustrate the following:
 - a. Create Outlot 2 as described in this memo.
 - b. Extend Outlot 1 to Outlot 2.
 - c. Change Town Clerk name on signature page to Charlotte Nagel.
4. Town to petition the Zoning Board of Appeals to create Lot 1 without frontage to a public road.
5. Confirm Right of Way dedication requirement for Dickinson Road with Brown County.
6. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.

There was discussion the petitioner confirming with Brown County that additional right-of-way will not be required, resulting in that requirement being struck from the resolution (Condition 5). There was also discussion on extending Outlot 1 to Outlot 2, which also resulted in being struck from the resolution (Condition 3b).

MOTION by Baran/Garcia to recommend approval to the Town Board via the prepared resolution with the discussed amendments. No further discussion. Motion carried in a voice vote, 5-0.

d. Review and make recommendation on the request by Jeremy Lueck of DeLeers Construction agent for owner Michael Drage, for a Business, Site, and Operation Plan Application to accommodate multi-use commercial building.

The petitioner (Debbie DeLeers obo Olde School Office Suites, LLC) is requesting approval of the proposed development of an approximately 4,500 SF office building/yoga studio as well as an amendment to the Condominium Plat for Olde-School Square.

The proposed single-story structure will contain two separate commercial spaces of 2,914 SF and 1,636 SF, respectively. The larger, northern space is intended for use as a law office while the southern, smaller space would be occupied by a yoga studio. The proposal also includes the option to double the footprint with an addition to the south of approximately 4,500 SF. The timing of this addition is unknown, but it would be expected to be constructed as a second phase, later in time – presumably when a tenant is available.

The proposal also includes the second addendum to the Condominium Plat for Olde School Square. The Building, Site, and Operations Application includes the signature of the Olde School Square Condo Association President, Mike Drage.

It is expected that this proposal will request Tax Increment Financing assistance. It has been sent to Town Assessor, Mike Denor, for valuation.

Olde School Square is zoned Neighborhood Commercial District (NCD), which is require a specific code of development that establishes the unifying design guidelines, specific regulations, and the use characteristics of each block. The Town adopted the *Design Guidelines for the development of Olde School Square in 2018*. The goal of this document is to compliment, enhance, and maintain this attractive and distinct area by ensuring new development reflects harmony and continuity in design and balances with previous, high-quality development. Olde School Square buildings should representative of the Federal, Greek Revival, and Colonial Revival architectural styles.

The proposal specifies office and commercial use (yoga studio). No information has been provided on the number of occupants or the hours of operation of either use. Based on the plans provided, as many as 40 may be expected in the yoga studio at one time and no more than 10 would be expected in the law office. Based on the uses, hours are expected to be typical office hours (9am-5pm) and extending into the evening for the yoga studio.

The introduction of these office/commercial uses is appropriate within Olde School Square as other small office and commercial uses currently exist throughout Olde School Square.

A revised condominium plat has been provided. This second addendum includes improvements for this proposal as well as the addition of Sash & Bow, among other minor changes. The second addendum improves access from Dickinson by formalizing the newly paved access drive in the northwest corner of Olde School Square. This improvement is consistent with the Olde School Square Design Guidelines. Further, the Fire Department prefers it remain and the Public Works department has no issues with it. A sidewalk connection to the sidewalk on Dickinson is needed at this access point. This will eventually connect south to Bleu, likely with future development of Unit 16.

Parking is also added—and lot 10 relocated (part of Sash & Bow)—at the expense of the main “square” common element. As discussed in the OSS Design Guidelines, this element is intended to be relocated as several, smaller common elements throughout OSS. That said, The Commission has consistently informed the development community that parking should not take priority over public spaces. The importance of improvements to public spaces in regard to the revised parking layout—including the locating of trash enclosures—should be discussed.

The recommendation is approval to the Town Board via the prepared resolution with the following conditions:

The Olde School Square Design Guidelines specify the desired materials, colors, and textures, roof form and pitch, architectural ornamentation, and façade treatments for Olde School Square. In short, the proposal is generally consistent with the Design Guidelines, but some minor revisions should be made. The Commission should provide discussion and feedback to the petitioner on the proposed design based on the following review.

There was discussion regarding the proposed one story building and lack of curb appeal specifically along the northern façade on Dickinson Road despite the addition of a brick façade on the false front. This façade needs to be more prominent as it is highly visible and needs to better define a strong street wall along Dickinson Road. The Design Guidelines recommend the majority of buildings in Olde School Square be two to three stories and indicates two to three story buildings are typical for the desired architectural styles. The Commission provided discussion and feedback on the possibility of raising the northern portion of the building (or the whole building) to a taller single story, to two stories, using a false gable, or something similar to help establish a stronger street wall along Dickinson and break up the nearly 100 foot (phase 1 only) east and west façades. A brick false front should also be added to the western façade at a minimum as this will be highly visible along Dickinson.

The recommendation is approval with conditions to the Town Board via a motion. Conditions for approval are:

1. Review and approval of a revised condominium plat.
2. Provide more details on the proposed color/material palette.
3. Provide more details on proposed signage.

4. Updated condominium documents provided to the Town.
5. Add a sidewalk connection to Dickinson Road.
6. Provide a landscape and lighting plan.

MOTION by Baran/Tenor to recommend approval to the Town Board with the recommended conditions and with the architectural changes as discussed. No further discussion. Motion carried in a voice vote, 5-0.

e. Review and make recommendation on the request by David Chrouser of Mau & Associates, agent for Olde School Square Condo Association, for revisions to the Olde School Square Condo Plat

The petitioner is requesting a reapproval of the condominium plat for the Olde School Square development to accommodate a reconfiguration of the building areas. The original condo plat was approved in December 2005.

Setbacks of units 18 – 21 were expended to provide a building depth of 30-feet. This is an additional depth of 6-feet. The current 24-foot depth has been a limiting factor to their development. The buildings will have a setback of 10-feet from the Dickinson Road right-of-way.

The following changes are proposed for the development layout to accommodate the previously approved Sash & Bow building and outdoor space.

Unit 9 Moved to the south of the Creamery Coffee Show; East of new Gambini building.

Unit 10 Moved to the west edge of the public green.

Unit 11 Combined with Units 13 and 14 for Sash & Bow building.

Unit 12 Unchanged

Unit 13 Combined with Units 11 and 14 for Sash & Bow building.

Unit 14 Combined with Units 11 and 13 for Sash & Bow building.

It appears that Units 15, 16, and 17 have been expanded to include much of the common area (greenspace around the building footprints). See graphic in memo dated November 13, 2018. In the current configuration these units have Limited Common Easement at their rear of their sites. Staff does not agree with the proposed layout giving these units large lot areas for their individual use. This will be the loss of significant green areas held in common ownership. The Commission should evaluate and determine what is appropriate.

The recommendation is approval to the Town Board via the prepared resolution with the following conditions:

1. Provide defined Limited Common Easement areas for Units 15 – 17 similar to current condo plat document.
2. Prohibit development of Unit 10 on the public green until construction of a public plaza, approved by the Town, is completed.
3. Any technical corrections required by the Town Engineer and Brown County.

MOTION by Van Rossum/Baran to recommend approval of the Town Board via the prepared resolution, as written, with conditions. No further discussion. Motion carried in a voice vote, 5-0.

7. OLD BUSINESS:

a. Discussion and recommendation on the proposed changes to Chapter 135: Zoning relating to permitted uses, etc. (reduce listing to more general categories or a matrix).

This is a work in progress; nothing to review at this time. No action taken.

8. Discuss work plan.

- View Shed Analysis Campaign was launched. Pictures are being received.

Approved at the December 12, 2018 Zoning & Planning Commission Meeting.

Approved at the December 18, 2018 Town Board Meeting.

- A comprehensive zoning code reorganization is being worked on; a draft will be forthcoming.
- 2019 Budget has a public hearing with Town Board action on Tuesday, November 20th.

9. Staff report.

a. Update on future agenda items.

- Town of Ledgeview and Mead & Hunt won an Excellence Planning Award for the Neighborhood Center District Development Plan on Monroe Road and Dickinson Road Area.

b. Review town board decisions.

- Stencil CSM was approved on Elmview Road.
- Amendments to the Comprehensive Plan Future Land Use Map were approved.

10. Communications by Commission Members.

- Handeland reported to The Commission on Brown County Zoning & Planning; nothing new to report for Ledgeview.

11. ADJOURN.

MOTION by Van Rossum/Handeland to adjourn. No further discussion. Motion carried in a voice vote, 5-0.
Meeting adjourned at 7:23 PM.

Respectfully submitted,

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