

The Ledgeview Zoning & Planning Commission held a meeting on **Wednesday, September 17, 2019 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 Jane Tenor, Vice Chair Mark Handeland, Commissioners Chet Lamers, Kris Baran, and Taurio Garcia who excused himself at 7:10 PM. Excused was Commissioners Renee Van Rossum and Mark Chambers.

Staff present were Planner Dustin Wolff and Clerk Charlotte Nagel.

3. APPROVE/AMEND AGENDA

Staff advised there were no changes to the amended agenda. MOTION by Handeland/Baran to approve amended agenda as written. No further discussion. Motion carried in a voice vote, 5-0.

4. Act on Minutes from August 14, 2019.

MOTION by Handeland/Lamers to approve the minutes as written. No further discussion. Motion carried in a voice vote, 5-0.

5. NEW BUSINESS:

a. Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for owner Gigot Properties, LLC, for a two lot Certified Survey Map on parcel D-450-1, located on Wayne Lane and Royal Vista Trail.

A retracement Certified Survey Map (CSM) for the reconfiguration of a 4 parent parcels (D-448-1, D-449, D-449-2, D-450-1, D-451) was approved in January 2019. The parent parcels were previously rezoned to R-1, Single-Family Residential. At this time, the petitioner is requesting a two (2) lot CSM to enable the sale of proposed Lot 1 for future subdivision development. The CSM aligns with the plans for this property. Staff review recommends approval based on the following:

1. Illustrating the Environmentally Sensitive Areas (steep slopes) on Lot 2.
2. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.

MOTION by Lamers/Baran to recommend approval per the prepared resolution. No further discussion. Motion carried in a voice vote, 5-0.

b. Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for owner BASGIG Investors, LLC, for an 87-lot Final Plat on parcel D-425-2 known as Red Hawk Landing.

This Preliminary Plat was reviewed and approved by the Zoning & Planning Commission and Town Board in May 2019. The Plat contains 73 lots and 11 Outlots. Five (5) lot swill be for two-family residences.

The proposed preliminary plat complies with the requirements of Chapter 96: Subdivision, and staff review recommends approval of the preliminary plat to the Zoning & Planning Commission to the Town Board, conditioned upon the following:

1. Add a conservation easement to protect the southern Environmental Sensitive Area and the language outlined in this memo.
2. Final Plat approval is contingent on flood study approval/findings.

Motion by Handeland/Baran to approve the prepared resolution recommending approval to the Town Board. 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 owner Janette McVey, for a Rezone Application on parcel D-189 located on Dallas Lane to accommodate a subdivision plat known as Mystery Ridge.

The petitioner is requesting to rezone the property from R-R, Rural Residential District to R-1, Residential District for a future subdivision. This rezone accompanies a preliminary plat for 19 single-family units and one Outlot.

Based on an evaluation of the key “findings of fact” addressed above, staff recommends the Plan Commission recommend approval of this rezoning petition to the Town Board for the following reasons:

1. The proposed rezoning to R-R is consistent with development trends in the area including the conversion of agricultural land to residential land within the sewer service area.
2. The lands are suitable for low- to medium-density single-family residential development.
3. The proposed zoning district conforms to the goals and the land use illustrated on the Future Land Use Map of the adopted Comprehensive Plan.

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

d. Review and make recommendation on the request by Steve Bieda of Mau & Associates, agent for owner Janette McVey, for a 19-lot Preliminary Plat on parcel D-189 located on Dallas Lane to accommodate a subdivision known as Mystery Ridge.

The petitioner is requesting the review of a 19 lot and 2 outlot preliminary plat on approximately 14.6 acres. The parcel is proposed to be rezoned from R-R to R-1.

The concern with the proposed preliminary plat is keeping the Environmentally Sensitive Area (ESA) out of private property and in outlots for stormwater drainage. The proposed preliminary plat complies with the requirements of Chapter 96: Subdivision, and after staff review recommends that Zoning & Planning recommend approval of the preliminary plat to the Town Board, conditioned upon the following:

1. Completed of a wetland delineation and flood study for the development.
2. Revise Plat to remove ESA areas from Lots 5 – 10 and adding to Outlot 2.
3. Add the following notations to the Plat:
 - a. Future sidewalks and/or recreation trail will be installed along Dallas Lane, Mystery Ridge, and Dollar Road in the public ROW.
 - b. Driveway access is prohibited 75-foot from the intersection for Lots 1, 5, 13 – 15, and 17. This prohibition will also be illustrated directly onto these lots.
4. Illustrate the required parcel setbacks on the plat.
5. Revise Dollar Lane name to Dollar Road.
6. Any technical corrections required by the Town Engineer and Brown County.

MOTION by Tenor/Baran to approve the prepared resolution recommending approval to the Town Board. No further discussion. Motion carried in a voice vote, 5-0.

e. Review and make recommendation to update to Chapter 135 related to permitted uses and conditional uses in zoning districts for breweries, wineries, and distilleries.

Upon review of the Town Zoning Code, it was noticed that Breweries, Manufacturers and Rectifiers (Distilleries), and Wineries and Brewpubs uses/operations were not clearly identified. The proposed code language is introduced to clarify how the different types of alcohol manufacturers are allowed and regulated in the zoning code.

Staff strove to ensure the regulatory language is fair and appropriately references statutory requirements/regulations. Specifically:

- Parking shall be required per code for each use located/operating on the premises.
- Restaurants are allowable in breweries, rectifiers, and wineries located in industrial districts.
- Restaurant size will not exceed 50-percent of the building floor area, and that the tap room would not be included in the restaurant calculation.
- Correct reference for off-site retail establishments for rectifiers.

MOTION by Handeland/Baran to recommend approval of the ordinance language as written. No further discussion. Motion carried in a voice vote, 5-0.

f. Review and make recommendation to amend Chapter 135-Zoning, Article XXI Off-Street Parking Requirements, Section 207 Off Street Parking Requirements for Commercial Vehicles, Recreational Vehicles, Boats, and Motor Homes in reference to temporary residential dumpsters and storage units.

The Town has received several complaints concerning residents who keep commercial dumpsters and PODS in their driveways for an excessive time. One resident has had both in their driveway for over one year. Currently there is no ordinance that restricts the use of commercial dumpster or PODS. After speaking with other municipalities, we have been told they only allow commercial dumpsters or PODS in driveways for a limited number of days. The proposed language outlines the limited number of days, how the days are calculated, and enforcement.

MOTION by Baran/Handeland to recommend approval of the proposed ordinance language to the Town Board. No further discussion. Motion carried in a voice vote, 5-0.

g. Review and make recommendation to amend Town of Ledgeview Hunting Overlay Map in accordance with Chapter 129-3.

The Hunting Overlay Map needs to be updated to include additional subdivisions that have recently been approved and development has started.

MOTION by Baran to recommend approval of the proposed areas evaluated for consistency to D3, no fire arm discharge, strictly bow and arrow. There was no second, therefore motion dies for lack of a second.

There was much discussion on this item as members were conscious of property owner rights and didn't want to interfere with them.

MOTION by Handeland to delineate the recommended areas to D3 – Bow & Arrow only with the exception of the 80 acres on Lime Kiln. There was no second, therefore the motion dies for lack of a second.

Discussion continued.

MOTION by Lamers/Tenor to recommend amending Ledgeview Golf Course under zone D3, Bow & Arrow only, but to let the Public Hearing determine the outcome of the remaining parcels. No further discussion. Motion carried in a voice vote, 3-1 with Baran voting no.

6. OLD BUSINESS: None.

Approved at the October 16th, 2019 Zoning & Planning Meeting.
Approved at the October 22nd, 2019 Town Board Meeting.

7. **DISCUSS WORK PLAN.** None.

8. **STAFF REPORT.**

a. **Update on future agenda items.**

- Staff advised the Commission to look forward to an additional subdivision forthcoming.
- Have not heard back from Heartland Pizza.

b. **Review town board decisions.**

- Approved the De Leers Legal and Enright Financial signage per the Commission recommendation.
- Approved the Certified Survey Map for Ted Murray per the Commission recommendation.
- Approved the View Shed Analysis per the Commission and the Parks Committee recommendation.

9. **COMMUNICATIONS BY COMMISSION MEMBERS.** None.

10. **ADJOURN.**

MOTION by Baran/Lamers to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting adjourned at 8:07 PM.

Respectfully submitted,

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