



**NOTICE OF MEETING
TOWN OF LEDGEVIEW
ZONING & PLANNING COMMISSION
Wednesday, January 15, 2020 at 6:00 p.m.
Ledgeview Community Center
3700 Dickinson Road
De Pere, WI 54115**

1. Call meeting to order.

The meeting was called to order by Vice-Chair Mark Handeland at 6:00 PM.

2. Roll call.

Members present were Vice Chair Mark Handeland, Commissioners Mark Chambers, Chet Lamers (arrived at 6:02 PM), Kris Baran, Renee Van Rossum, and Taurino Garcia. Excused was Chairwoman Jane Tenor

3. Approve/amend agenda.

Staff explained that Item 6a has been removed at the request of the petitioner. MOTION by Van Rossum/Garcia to approve the agenda with those changes. No further discussion. Motion carried in a voice vote, 5-0.

4. Act on minutes from December 11, 2019

MOTION by Chambers/Baran to accept the minutes as written. No further discussion. Motion carried in a voice vote, 5-0.

5. Old Business:

a. Review and make recommendation on the request by Keith Gajeski of Classic Construction, agent for Ledgeview Development of Brown County, Steven Jauquet owner, for a Zoning Change Application on parcel D-437-53 located in the 1874 Ledgeview Road from R-1 Residential to R-1 PDD Single Family Planned Development District to accommodate an eight-unit single family condominium plat.

Staff explained that on November 15th, 2019 a rezoning request was submitted by Mau & Associates on behalf of Steven Jauquet, property owner and Keith Gajeski, Classic Construction, for property D-437-53 located at the 1800 block of Ledgeview Road for a rezone change from R-1 Single Family Residential to R-3 PDD Multi-Family Plan Development District to accommodate a proposed development includes an eight (8) single-family condominium units and a 3,100 SF accessory garage building. The Zoning & Planning Commission approved the rezone, however, after much resident debate, the Zoning & Planning Commission tabled the architectural design of the condos. The Commission wanted to see more of a variety of design proposals for this parcel.

Since that meeting, the developer went back to the drawing board and decided to amend the request from R-3 PDD to R-1 PDD which is a better fit for the proposed development. The accessory building was modified to be 8 individual garages, removed the party room to fit into the R-1 PDD zoning.

Along with the rezone amendment, different building designs were submitted to reflect a more neighborhood friendly layout with the regional detention pond. The Condo Association would be responsible for snow removal. There is market demand for this type of home condo layout that offers options such as the proposed development. This design layout offers increased open space in a condo format.

Changing the zoning from R-3 to R-1 means that only a single-family residence can be on the parcel, but the PDD give the flexibility to meet both community and market needs. Number of units on a parcel condo plat is only one unit with one frontage. The development meets the criteria of R-1 PDD zoning.

MOTION by Handeland/Chambers to recommend approval R-1 PDD to the Town Board. There was discussion to open the meeting for public comment since there was a large resident attendance.

MOTION by Van Rossum/Chambers to open the meeting to public comment. No further discussion. Motion carried in a voice vote, 6-0.

The rules of no interaction were explained to the audience, that they could make their voices heard, but there would be no exchange on behalf of The Commission.

The meeting was opened to public comment at 6:17 PM by Vice-Chair Handeland.

Peter Tobin, 857 Hickory Valley Court – Mr. Tobin was the 2nd and 3rd home built in the development of the area. This property has gone for sale several times but no one could reach an agreed upon price. The neighborhood understood that houses would develop on this property someday, but why eight condo units? Why not have less units with two car garages to fit the space better. There are traffic concerns, has there a traffic study done in this area? Drainage how is the settling pond going to handle the additional water. The pond begins at the high school and ends in this pond. There are large pools of water throughout the property as it is. No drainage there, no drainage ditch there. Road into the parcel would cause more water run-off adding the exiting drainage problem.

Staff explained that eight units are allowed by code, and the Developer wants to maintain that density. Both the Public Works Director and the Town Engineer have looked at the plans and neither have issue with the proposed development. The Town Engineer has the responsibility to assure that the pond is functioning properly.

Allison Corelissen, 1878 Ledgeview Road – Wanted to know who was going to monitor the property for safety issues such as the proposed walking path. She would like to see single family homes so that everyone is responsible for their own property.

Staff explained that it would no different than any other private property throughout the town. It would be better because there would be more eyes to watch out for safety issues because the Condo Association would be the eight property owners, no different than any other private property.

John Miller, 1865 Old Valley Road – Concerned about drainage. Asked about regulation that talk about what specific property has to drain towards the pond. He is against the proposed development because of water movement and property drainage concerns.

Staff advised the Town Engineer will review the drainage plan and scrutinizes it to assure all drainage regulations and needs are met. The Town Board is well aware of the drainage issues of the community and will assure the drainage is appropriate for that area.

David Baily, 863 Hickory Valley Court – When he was building, he was told he had to build a single family house, no exceptions. R-1 PDD will let them build whatever they want. The property at 726 Hickory Valley Court has standing water and still had water that went 20 feet into the yard which has never fixed. Most concerned with their asking for exceptions from R-1, stating that he had to play by the rules when he built.

Chad Hendricks, 1866 Olde Valley Road – Stated that he had to get a 75-foot variance when he built an accessory building. Concerned with building a habitable structure vs inhabitable structure.

Shawn Feller, 1858 Old Valley Road – not opposed to the condos always knew development could happen. However feels eight is too many for that property. He is opposed to the outbuilding, doesn't want to see big tall lights for safety purposes. Drainage is a huge problem. The property has been vacant for 26 years and only two sewer laterals in there. What if you can't sell the condos.

Janice Anderson, 1833 Ledgeview Road – The last 20 feet of her backyard is wet. Wouldn't send a child out to play in her backyard because they would come in with wet, muddy shoes. Eight units is too dense. Opposed to the garage building. Decrease number of condos and give them a three-stall garage. Not inappropriate on that side of the street.

Jenny Hendricks, 1866 Olde Valley Road – Concerned with light and noise pollution and dogs all over the place. The accessory building is a glorified mini storage building that doesn't belong in their backyards.

Jeff Jorgensen 1884 Old Valley Road – There shouldn't be outbuildings on that property because water hasn't moved. Mistakes happen, fortunately this one is ok. He was the first one to build on Old Valley Road and he had to have certain square feet. Not in favor of the proposed density for that parcel.

Rob Bodart, 1862 Old Valley Road – Is disappointed with the process, that minutes aren't available yet, and that the item was handled as an old business item which gave the residents little time to understand what is happening. Didn't appreciate what took place in closed session.

MOTION by Van Rossum/Chambers to close the public comment and bring the meeting back to The Commission. No further discussion. Motion carried in a voice vote, 6-0.

At 6:45 PM Vice-Chair Handeland closed the meeting to public comment.

The question was asked again; Does the proposed development meet the code for R-1 PDD? Staff advised that R-1 PDD is allowed by code for this development.

MOTION by Handeland/Chambers to recommend approval R-1 PDD to the Town Board by approving the resolution. No further discussion. Motion carried in a voice vote, 5-1-0 with Lamers voting nay.

- b. Review and make recommendation on the request by Keith Gajeski of Classic Construction, agent for Ledgeview Development of Brown County, Steven Jauquet owner, for a Preliminary Plat Application on parcel D-437-53 located in the 1874 Ledgeview Road to accommodate an eight-unit single family condominium plat. Plat itself and architectural.**

Zoning & Planning were not impressed with the resubmittal architecture. More direction was necessary in order to achieve the look and feel The Commission wants for that neighborhood. The floor plan submitted may fit current market needs, but The Commission wants it to fit in more with the current neighborhood style so that when a person drives down Ledgeview Road the view would be eight different single family homes, not a different variation of the same house pattern. Different roof lines, color scheme from a different pallet, and different styles of homes. Therefore, The Commission didn't feel the plans were adequate to make a recommendation.

MOTION by Handeland/Baran to table this item. No further discussion. Motion carried in a voice vote, 6-0.

6. New Business:

- a. Review and give feedback on the request by Mark Gigot of Gigot Properties, LLC, owner, for Concept Plat Review on parcel D-164 located on Lime Kiln Road and Copper Lane.**

Removed at the request of the petitioner under Agenda Approval Item 3.

- b. Discussion and recommendation on the proposed changes to Section 135-11(G) related to accessory structures on properties zoned A-2, Agricultural, where the properties are not engaged in farming operations.**

Under the current Zoning Code, if a property is in the R-R Rural Residential or A-2 Agricultural District, and is actively farmed, the Town does not regulate the size or number of accessory structures on the property. However, if the property is not actively farmed, the regulations for the R-1 and R-R Districts are to apply. Meaning, if an A-2 property that is not actively farmed, wants to construct an accessory building, a rezone to R-1 or R-R must take place.

Approved at the February 12, 2020 Zoning & Planning Commission Meeting.

Approved at the February 18, 2020 Town Board Meeting.

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

c. Review and make recommendation on the revised Official Zoning Map.

Staff advised this is an annual action taken by the Town Board. The revision of the Official Zoning Map incorporates all the zoning amendments that took place throughout the past year. No public hearing is needed because the public hearing was held as each zoning amendment was acted on throughout the year.

There was discussion on parcel D-437-53 which was changed to R-3 PDD, Multi-Family Planned Development District based on last meeting's Zoning & Planning's recommendation. However, the public hearing did not take place, therefore should be changed back to the current zoning of R-1, Single Family Residential.

MOTION by Van Rossum/Baran to recommend for approval with the exception of parcel D-437-53 to remain R-1 Zoning. No further discussion. Motion carried in a voice vote, 6-0.

7. Staff Report.

a. Update on future agenda items.

- Lime Kiln/Copper Lane development will be forthcoming. Park & Recreation Committee will be looking at the park in that development at their next meeting.

b. Review Town Board decisions.

- The Van De Hei rezone and Certified Survey Map on Dutchman Road was approved with a minor lot line adjustment to fit Rural Residential Zoning Code.
- The Wellens rezone and Certified Survey Map on Hidden Valley Road was approved.
- Changes to Chapter 135: Zoning relating to Agriculture-Farmland Preservation for Department of Agriculture, Trade and Consumer Protection Ordinance Certification were approved.
- Recommendation from Zoning & Planning Commission on Proposed changes to Chapter 96 and Chapter 135 relating to bicycle and pedestrian facilities, trails, walkways, and sidewalks was approved.
- Building, Site, and Operations Plan Application on parcels D-127-1 and D-130-3 located at 3700 and 3720 Elm View Road regarding lighting for the trucking company was approved.

8. Communications by Commission members.

- The Commission would like design guidelines for condominium and single-family condominium developments similar to the Design Guidelines similar to the Neighborhood Center District Guidelines from property line to property line with side properties attached.
- Brown County Zoning Commission Meeting for this month was cancelled.

9. Adjourn.

MOTION by Van Rossum/Chambers to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting adjourned at 7:41 PM.

Charlotte Nagel

Charlotte Nagel, Clerk, Town of Ledgerview