



**MINUTES OF THE  
TOWN OF LEDGEVIEW  
ZONING & PLANNING COMMISSION  
Wednesday, January 13<sup>th</sup>, 2021 at 6:00 p.m.  
Ledgeview Community Center  
3700 Dickinson Road  
De Pere, WI 54115**

**1. Call meeting to order.**

The Zoning & Planning Commission Meeting was called to order by Chairwoman Jane Tenor at 6:00 PM.

**2. Roll call.**

Present were Chairwoman Jane Tenor, Vice-Chairman Mark Handeland, Mark Chambers, Tauniro Garcia, Renee Van Rossum, Kris Baran, and Alternate Chris Culotta. Excused were Commissioner Chet Lamers and Alternate Jenell Holstead.

Staff present was Planner Dustin Wolff and Clerk Charlotte Nagel.

**3. Approve/amend agenda.**

Staff advised there were no changes to the agenda.

MOTION by Tenor/Baran to approve the agenda as written. No further discussion. Motion carried in a voice vote, 7-0.

**4. Act on minutes from December 16, 2020.**

MOTION by Tenor/Handeland to approve the minutes of the December 16, 2020 Meeting as written. No further discussion. Motion carried in a voice vote, 7-0.

**5. New Business:**

**a. Review and make recommendation on the request by Steve Bieda of Mau & Associates agent for William Brennan, owner, on a Zoning Change Application for parcels D-193-1 and D-193-1-2 Dallas Lane from RR-Rural Residential to R1-Residential.**

The petitioner is requesting to rezone the parcels from R-R, Rural Residential District to R-1, Residential District for a future land division. This rezone accompanies a 2 lot Certified Survey Map (CSM).

The Town recently completed utility improvements to Dallas Lane, and urbanizing sections with curb, gutter, and sidewalk will be completed this Spring. With utility improvements comes assessments for the infrastructure, so we're seeing a trend of rezones and CSMs in the area to help offset the assessment costs to property owners.

Parcel D-193-1 is a 1.5-acre property currently contains a single-family home. Parcel D-193-1-2 is 1.4 acres and is currently vacant. The associated CSM for D-193-1-2 proposes two (2) lots. Each lots will be approximately 30,000 SF in size. The parcels are bordered by Dallas Lane on the south which will be reconstructed to an urban roadway profile with sidewalk and curb and gutter in Spring.

The property and area has a number of single family residences. The parcels are suitable for low-density residential uses as permitted under the existing zoning classification. This area of Town has seen the gradual conversion of land from vacant and agricultural operations to residential development over recent years. The availability of public utilities will also make properties in this area desirable for additional development, and these utility connections make them more

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appropriate for the R-1 classification. Due to minimum lot area standards in the R-R district of 60,000 SF and minimum lot frontage of 150-feet, the CSM cannot be approved as proposed without a zoning change. The proposed rezoning petition is consistent with the adopted Comprehensive Plan.

MOTION by Handeland/Chambers to approve the resolution recommending approval of the zoning change. No further discussion. Motion carried in a voice vote, 7-0.

**b. Review and make recommendation on the request by Steve Bieda of Mau & Associates agent for William Brennan, owner, on a Certified Survey Map Application for parcel D-193-1-2 Dallas Lane creating two lots.**

The petitioner is requesting the approval of a Certified Survey Map (CSM) to subdivide the existing 1.4 acre parcel into two lots. Lot 1 will have 0.72 acres and Lot 2 will have 0.65 acres. The land is currently zoned R-R, Rural Residential, but a rezone petition from RR to R-1 accompanies the CSM and is the above item. The CSM is consistent with all adopted Town and Brown County Plans and meets all Town Code requirements.

The recommendation in the resolution is approval with conditions which are as follows:

1. Approval of the rezone petition for parcel D-193-1 and D-193-1-2 to R-1, Residential.
2. Addressing technical discrepancies as identified by the Town and Brown County.
3. Payment of all applicable fees and any outstanding assessments prior to Town signature of the CSM.

MOTION by Handeland/Chambers to approve the resolution recommending approval with conditions. No further discussion. Motion carried in a voice vote, 7-0.

**c. Review and make recommendation on the request by Olde School Square Condo Association to amend the Olde School Square Condo Plat and Declarations at Olde School Square located at 2200 Dickinson Road.**

There were no revised documentation illustrating the new layout of the condo plat and the easements that need to be addressed. Therefore, staff is requesting this item to be tabled.

MOTION by Van Rossum/Baran to table the amend the Olde School Square Condo Plat and Declarations at Olde School Square. No further discussion. Motion carried in a voice vote, 7-0.

**d. Review and make recommendation on the a newly created Urban Forestry ordinance.**

The Park, Recreation, & Forestry Committee has been working on a Forestry Ordinance in 2020. This initiative is a recommendation from the previous CORP (2015-2020) which carried over to the new CORP updated in April 2019. It is supports the Town's desire to develop a tree canopy for all the benefits associated with it – replace those trees lost in development, provide habitat and beautification, maintain air quality, qualm solar heat gain, etc.

The purpose of the ordinance is to regulate, finance, and control the planting, removal, maintenance and protection of trees and shrubs in all areas of the Town. The ordinance contains language for the maintenance of trees (dead ash's in parks), abatement of nuisance (low hanging branches), etc. that the staff needs to provide service of those trees it is responsible for, such as those in parks. The Park, Recreation, & Forestry Committee's main focus was on street trees planted by both the Town and residents themselves. The ordinance also has certain language requirements because it was paid for by a grant.

There was discussion on how the Town will handle invasive species issues with the trees. It was determined the invasive species issues would be handled by policy or procedure, something outside of the realm of the ordinance. The ordinance would cover both existing subdivisions as well as future subdivisions. There was also consideration with planting distances from utilities or fire hydrants to assure there isn't any root interference. Grants are being pursued for plantings, maintenance, or other grooming issues. The general public should be made aware that grants are being pursued.

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MOTION by Tenor/Handeland to recommend approval of the Urban Forestry Ordinance with any edits or amendments by the Park & Recreation Committee at their January, 2021 Meeting. No further discussion. Motion carried in a voice vote, 7-0.

**e. Review and make recommendation on the updated Official Zoning Town Map.**

The updated Town Zoning Map reflects all the rezones that took place in 2020.

There was discussion on whether the Official Zoning Map will have the southern bridge mapping when it's final, and if the Town keeps track of fiber connections within the right-of-ways. When the final decision regarding the location of the Southern Bridge is known, it will be depicted on both the Official Zoning Map as well as the Official Town Map. The Town does not keep track of the fiber optics on the right-of-ways.

MOTION by Tenor/Garcia Recommend the approval of the updated official zoning Town Map. No further discussion. Motion carried in a voice vote, 7-0.

**6. Old Business:**

**a. Discussion and recommendation proposed amendments to Chapter 135-Zoning Article XXI Off-Street Parking Requirements, Section 207 Off Street Parking Requirements for Commercial Vehicles, Recreational Vehicles, and Trailers.**

The issues associated with this ordinance and its enforcement date back to January 2018. Zoning & Planning discussed this code section with both Mead & Hunt and the Code Enforcement Officer several times in 2018 and 2019. Most recently, Zoning & Planning reviewed this ordinance in October 2020 and had several questions or edits to the revised ordinance, which are addressed in the current version.

The main issue the Code Enforcement Officer has been dealing with is complaints from residents because of neighbors parking trailers, motor homes, boats, snowmobiles, etc. in the rear yards. This is not currently prohibited by the code. However, within the R-1 District, there is little room between homes and complaints are that residents cannot enjoy the use of their backyards without staring at the storage of someone's equipment or vehicle.

There were much discussion regarding the equity of the ordinance. The ordinance was written for R-1 Single Family Residential zoning in the more urbanized areas of town because that's where the complaints were stemming from. The Commission realizes it would be hard to write an all-encompassing ordinance for the diverse zonings throughout the town but feels this is a good place to start. Once the ordinance is adopted, it would be good to keep a pulse on how effectual the ordinance is from the Zoning Administrator.

MOTION by Handeland/Baran to recommend approval of the amendments as written. No further discussion. Motion carried in a voice vote, 7-0.

**7. Staff Report**

**a. Acknowledgement of the 2020 Zoning & Planning Commission action items.**

The Commission acknowledged the action items taken up in the past year.

**b. Update on future agenda items.**

- Olde School Square.
- Amendments to Tax Increment District 1.
- Create Tax Increment District 3 in the I-43 Business Park Area
- Biological Ecological Study of conversation areas
- Other items as depicted in the Comprehensive Plan, Strategic Plan, and CORP Plan

**c. Review Town Board decisions.**

- Zoning Code Amendment to 135-8 Definition as it relates to Farm Residence. The definition of Farm Residence will be amended to "The only single-family residence on the farm".

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- Stone Fence Preserve First Addition Final Plat located on parcel D-242, Outlot 7 of Stone Fence Preserve Subdivision.
- Building, Site, and Operations Application for Broken Spoke Bike Studio on lot #21 (D-1621) of Olde School Square located at 2200 Dickinson Road.

**8. Communications by Commission members.**

Brown County Meeting Zoning Board discussed the All Hazard Mitigation Plan that includes Ledgeview. They are also finishing up the Brown County Comprehensive Plan which incorporated all Brown County Communities Comprehensive Plans as well.

**9. Adjourn.**

MOTION by Handeland/Chambers to adjourn. No further discussion. Motion carried in a voice vote, 7-0. Meeting adjourned at 7:00 PM.

Respectfully submitted,

*Charlotte Nagel*

Charlotte Nagel, Clerk