



**MEETING MINUTES  
TOWN OF LEDGEVIEW  
ZONING & PLANNING COMMISSION  
Wednesday, October 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 meeting was called to order by Jane Tenor at 6:00 PM.

**2. Roll call.**

Present were Chairperson Jane Tenor, Renee Van Rossum, Mark Handeland, Mark Chambers, Kris Baran, Chet Lamers, and alternates Chris Culotta. Taurino Garcia was excused. Alternate Janell Holstead was absent.

**3. Approve/amend agenda.**

MOTION by Mark Chambers to approve the agenda was seconded by Kris Baron. No further discussion. Motion carried in a voice vote, 7-0

**4. Act on minutes from September 15<sup>th</sup>, 2021.**

MOTION by Mark Chambers and seconded by Kris Baron to approve the minutes. No further discussion. Motion carried in a voice vote, 7-0.

**5. New Business:**

**a. Review and make recommendation on the request by Ken Marzec for a Conditional Use Permit to allow for a machine shop, pipe, metal, storage and sales, and warehousing to occur at parcel D-79-1, 1408 Viking Lane.**

The petitioner is requesting approval of a Conditional Use Permit to continue the machine shop and warehouse uses on the parcel zoned L-1, Light Industrial. Additionally, the petitioner is requesting approval for site improvements that are required to comply with the Zoning Code. No building changes are proposed.

RECOMMENDATION: Staff recommends that ZPC approve the proposed Conditional Use Permit for the machine shop and warehouse use conditioned on staff approval of the following items:

1. Provide landscape plan identifying proposed tree types and dimensions from each other and from the right-of-way and including at least 1 tree in the parking lot per the Zoning Code requirement.
2. Proposed signage must comply with the regulations of Section 79-13 for the L-1 District.
3. Stormwater management facilities as required by the Public Works Director and Town Engineer.

Dustin Wolff of Mead & Hunt gave a brief overview of the project.

Ken Marzec stated that the business manufactures parts/accessories for fuel and other related tanks.

Dustin Wolff noted that the stormwater management on the site needed to be reviewed by the Town Engineer. The landscaping requirements appear to be met and the proposed signage needed to be reduced to fit the sign code requirements.

Mark Chambers asked if there would be semi truck deliveries?

Jane Tenor noted that the current business that has been in operation does not have any issues with current deliveries.

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Approved at the \_\_\_\_\_ Town Board Meeting.

Ken Marzec noted that they will make the necessary changes to the signage.

MOTION by Renee Van Rossum to approve the rezone subject to the staff recommendations. The motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 7-0.

**b. Review and make recommendation on a request by Steve Bieda of Mau & Associates, on behalf of Kevin Luedke (owner) to approve an Area Development Plan for parcel D-193-1-1, 1801 Dallas Lane.**

The owner of parcel D-193-1-1 has proposed changes to the ADP for their property (see Figure 1). An ADP was previously approved for this area on the north side of Dallas Lane extending westward to Bower Creek Rd in August 2020.

Instead of the north/south street and the off-set connection from Dallas Lane to Bower Creek Rd (left below), the revised ADP proposes an east/west, direct, future road to connect Dallas Lane at the north to Bowers Creek Rd (right below). The Director of Public Works and the Town Engineer have expressed that the future road connection to Dallas Lane is not absolutely necessary and the removal of the future road offset is more desired.

RECOMMENDATION: None

Dustin Wolff of Mead & Hunt gave a brief overview of the proposed changes to the ADP that was adopted last year. The ADP was adopted as part of the Towns Official Map and included a road connection to Dallas Lane north to the Town limits. The Town Engineer and the Public Works Director are supportive of removing the road connection between Dallas Lane and the planned east west road.

Chris Culotta asked if there would still be a cul-de-sac in the future.

Dustin stated that there would not be a cul-de-sac because the north south connection to Dallas Lane will be removed.

MOTION by Mark Handeland to approve the revised ADP subject to the staff recommendations. The motion was seconded by Renee Van Rossum. No further discussion. Motion carried in a voice vote, 7-0.

**c. Review and make recommendation on the request by Steve Bieda of Mau & Associates, on behalf of Kevin Leudke (owner) to rezone all of parcel D-193-1-1, 1801 Dallas Lane, from R-R Rural Residential to R-1 Residential.**

The petitioner is requesting to rezone Parcel D-190-2 from R-R, Rural Residential District to R-1, Residential District for a future land division. This rezone accompanies a four (4) lot CSM and a proposed Area Development Plan (ADP) revision.

REZONING RECOMMENDATION: Based on an evaluation of the key “findings of fact” addressed above, staff recommends that the ZPC recommend approval to the Town Board for the following reasons:

1. The proposed rezoning from R-R to R-1 is consistent with the current zoning and development trends in the area.
2. The lands are suitable for low 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.

Dustin Wolff of Mead & Hunt stated that this is the rezoning portion of the project proposed by the Luedke’s. The reason for the rezone was to ensure that the proposed lots that are part of the proposed land division meet the minimum zoning requirements for lot size and minimum street frontage.

Mark Chambers noted that this seemed pretty straight forward.

MOTION by Mark Chambers to approve the rezone subject to the staff recommendations. The motion was seconded by Kris Baron. No further discussion. Motion carried in a voice vote, 7-0.

Approved at the \_\_\_\_\_ Zoning & Planning Commission Meeting.

Approved at the \_\_\_\_\_ Town Board Meeting.

**d. Review and make recommendation on the request by Steve Bieda of Mau & Associates, on behalf of Kevin Leudke (owner) for a proposed land division of parcel D-193-1-1, 1801 Dallas Lane, creating four lots.**

The petitioner is requesting the approval of a 4-lot CSM for Parcel D-193-1-1 on Dallas Ln. The CSM application is accompanied by a rezone application from R-R, Rural Residential District to R-1, Residential District, and a revised Area Development Plan (ADP).

An ADP was approved for this area on the north side of Dallas Lane extending westward to Bower Creek Rd in August 2020.

RECOMMENDATION: It is staff's recommendation that the ZPC recommend approval of the CSM and the Area Development Plan (ADP) to the Board at this time contingent that the following are provided for Town Board approval:

1. A revised CSM including all setbacks.
2. Lots 3 and 4 must be listed as outlots on a revised CSM.
3. Right-of-way dedication provided on the CSM corresponding to the revised ADP.

Dustin Wolff of Mead & Hunt gave a brief overview of the proposed land division.

Steve Bieda of Mau & Associates (agent of owner) stated that this is a four lot CSM with the back (north two lots) lots planned to be outlots. There is no need for the future right-of-way consistent with the ADP that was just approved earlier to be dedicated at this time. The property owner does not have any plans to develop any more of this land at this time.

Mark Handeland asked why the ROW could not be dedicated now?

Steve Bieda stated that it is not a good time to develop this parcel beyond the two parcels being created along Dallas Lane. There is no reason to dedicated ROW that doesn't connect to existing ROW.

Dustin noted that any further development around this parcel will lock in the exact layouts of lots and rod locations.

Kevin Luedke (owner) stated that the intent when they purchased the property was to create 2 lots.

Dustin stated that the outlots cannot be built on. This has been standard practice to dedicate ROW at the time of a land division.

Mark Handeland asked why the dedication was necessary?

Kevin Luedke stated that it was not the time for the ROW to be dedicated. When the property around the outlots develops, that will be the time to further subdivide and dedicate the ROW>

Kris Baron asked if the Town was setting itself up for weird situations down the road if the ROW is not dedicated.

Mark Chambers stated that he prefers to keep proposed outlots 3 and 4 together.

Chris Culotta asked if there are areas of the official map that are dedicated right away.

Dustin Wolff responded, stating that the official map gives teeth to dedicate ROW for projects like this when the land is subdivided. Staff defers to the Zoning and Planning Commission to make the decision.

Chris Culotta asked if this would set a president moving forward with other Area Development Plans and the practice of dedicating ROW at the time of a land division. One of the issues that we are having is the struggle to see this as a subdivision versus a single property.

Chet Lamers asked what the likelihood was of this property developing.

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Dustin Wolff stated that staff discussed other potential situations for the surrounding land to develop.

Kevin Leudke stated that he believes that dedicating the ROW makes the land less valuable.

Mark Chambers noted that it would be good to dedicate the ROW now if the outlots are split.

Kevin Luedke stated that he would not have bought the property if he knew there was a requirement to dedicate a future road.

Jane Tenor asked for some clarification on the resolution if the ROW was not dedicated.

Mark Handeland stated that the ROW dedication does not need to occur at this time.

Renee Van Rossum seconded Mark Handeland's comment.

Chris Culotta asked if this is on the official map?

Dustin Wolff stated that it is.

Chris Culotta noted that this is a difficult situation. Would it be possible to document this?

Chet Lamers asked how you can convince a land owner to not make any improvements on property they own.

Jane Tenor asked how do we prevent other property owners from not knowing future plans for a property.

Dustin Wolff noted that staff tries to provide all of the information when a property owner inquires about developing, subdividing, or rezoning their property.

Mark Handeland asked about ADP's being able to change upon request.

Dustin Wolff noted that the Official Map is updated annually to incorporate those changes.

MOTION by Mark Handeland to approve the land division subject to the staff recommendations. The motion was seconded by Renee Van Rossum. No further discussion. Motion carried in a voice vote, 6-1. Mark Chambers was a nay

**e. Review and make recommendation on a Building, Site, and Operations Plan request by Todd Hietpas, Performa Inc. on behalf of Mike Walters (owner) to construct a brewery and taproom at parcel D-375-5, located on the NW corner of CTH GV/Monroe Road and Kaftan Road.**

Cocoon Brewing, LLC is requesting approval of a BSO (and a PDD rezone) to construct a ~5,600 SF principal structure with a brewery, bar, game area, tap room, and 6 accessory structures (cocoon). These cocoons are intended to be small, enclosed, and private seating areas with heat and electricity. Proposed hours of operation vary daily within the hours of 11:00 A.M. to 12:00 A.M. A 40-space parking lot is proposed.

The subject property is included in the Monroe Road Neighborhood Center District (NCD), which is intended to be a vibrant, sustainable, mixed-use area where residents and visitors can live, work, shop, dine, be entertained, and contribute to the economic vitality of the community. A Pattern Book, based on the Master Plan for the area, sets forth the vision for the development of the Monroe Road NCD and regulates the architectural massing, building types, heights, facades, styles, materials, and details for each development. It is also located within TID #1, which aims to attract new commercial and business development.

Design standards, connectivity, and building orientation are stressed as critical to defining and developing the character of the Monroe Road NCD. The NCD Master Plan shows the application of these elements on various sites to create a contiguous and defined district. However, an alternative master plan concept is provided on page 12 of the Pattern Book (See Figure 3) that addresses the large existing wetland complex that encumbers this particular property. The

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wetland area must be factored into the design of the NCD area and this property and as a result, unique design is considered. The NCD alone allows for that flexibility, but the petitioner is also requesting a PDD overlay to allow for deviation in setbacks, orientation, and street connectivity. This is further discussed below.

**RECOMMENDATION:** The petitioner has worked with staff and multiple architects on this project for over a year to determine feasibility of the property given the numerous ESA areas. The petitioner undertook the expense of delineating the wetlands to determine buildability and scaled their product and business plan to better align with the site's capability. The development is of high-quality and high-character and fits within the context of the overall Monroe Road Neighborhood Center District. Ideally, it becomes an example and catalyst for additional development. It is likely to be the southern anchor within the NCD for some time.

Based on this evaluation, it is staff's recommendation that the ZPC recommend approval of the BSO Plan and the site deviations from NCD, listed on pages 3 and 4 of this report, to the Town Board conditioned that the site obtains a PDD Overlay approval by ZPC and that the following items are submitted for Town Board approval:

1. A revised site plan showing the following:
  - A. 5-foot-wide minimum sidewalk along the Kaftan Rd. frontage, connecting to the Monroe Rd. Trail.
  - B. Full fence extent for the outside areas included in the alcohol license.
  - C. Note on the site plan that the pedestrian connection to the north will be installed when development occurs.
2. A revised landscape plan identifying
  - A. Locations and quantities of all the plant species listed on page 2 of the plan.
  - B. Landscaping at the base of the proposed monument sign.
3. A revised exterior lighting fixture details and specifications for 18-foot maximum pole heights, including the base, and base details not exceeding 1 foot above grade. A detail of the pole, base, and fixture is required.
4. A revised site-lighting photometric map based on the updated pole/lighting specifications showing the foot-candles at the property lines.
5. Architectural elevations of the proposed dumpster enclosure matching or complementing the materials of the principal building.
6. A monument sign design and specifications with a maximum height of 8 feet including the base.
7. Enhance the appearance of the east elevation (facing Monroe Road) and provide updated/revised buildings elevations for Town Board approval.

Dustin Wolff of Mead & Hunt gave a brief overview of the project. He noted that staff is supportive of the proposal with some small changes that have been requested.

Todd Hietpas of Performa Inc. (agent of owner) provided details related to the project. The site was significantly restrained by environmental features which forced numerous revisions to the site plan. A wetland fill permit was obtained for 10,000 square feet on the west side of the property near Kaftan Rd. The project will contain a 5500-6000 square foot brewery, beer garden, concert space, and outdoor gathering spaces including 12 small outbuildings (cocoon). Production for the brewery is expected to be around 1000 barrels and there will be 2-4 employees (brewery) 10-15 (kitchen) 30 total at full buildout. Todd also provided an overview of the building materials to be used.

Mark Chambers asked what the Monroe Road elevation looked like?

Dustin Wolff noted that staff had requested more fenestration on this elevation.

Mark Chambers asked if there was any opportunity for glass to be included on this side of the building?

Chet Lamers mentioned that this is a really cool project but he shares the same concerns as Mark C. Chet noted that the form of the building could be changed to allow for changes to design to make the Monroe elevation more appealing.

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Todd Hietpas stated that they could look into natural lighting options on that elevation.

Matt Walters (owner) stated that they liked the look of the glass but that the building needs walls and can only accommodate so many windows.

Todd Hietpas also noted that the building orientation is the best they could come up with based on the limitations of the site.

Chet Lamers said that regardless of the site limitations, we can't ignore the CTH GV/Monroe Road elevation.

Mark Handeland asked if some trees or other type of vegetation could be planted along that elevation to add visual interest?

Todd Hietpas noted that there were challenges as it relates to stormwater management on site.

Mark Handeland asked if there was fill that was dumped on the property?

Dustin Wolff commented that he wasn't sure if there was. He also stated that there is a planned connection to the future road to the north of the project site, the Towns fencing requirements may be changing in the near future for outdoor alcohol consumption areas. Parking for this site is also challenging but there is potential there for shared parking with neighboring properties.

Chris Culotta asked if there was a way to do on street parking?

Dustin Wolff stated that on street parking is possible. This type of business will also attract bicycles. There were some minor landscaping issues that needed to be addressed along with lighting requirements, dumpster enclosure details and signage details.

Chris Culotta asked about deliveries.

Matt Walters noted that there will be trucks. There are no loading docks. Everything will need to go through the loading doors.

Mark Chambers asked if a condition could be added to the resolution to require revisions to the East/Monroe Road elevation?

MOTION by Mark Chambers to approve the BSO request subject to the revised resolution. The motion was seconded by Kris Baron. No further discussion. Motion carried in a voice vote, 7-0.

**f. Review and make recommendation on the request by Todd Hietpas, Performa Inc. on behalf of Mike Walters to rezone parcel D-375-5, located on the NW corner of CTH G/Monroe Road and Kaftan Road from NCD Neighborhood Center to NCD Neighborhood Center Planned Development District.**

Cocoon Brewing, LLC is requesting approval for the property to be rezoned to a PDD Overlay to construct a principal structure with a brewery, bar, game area, tap room and 6 accessory structures (cocoon), surrounded by wetlands. These cocoons are intended to be small, enclosed, and private seating areas with heat and electricity. Proposed hours of operation vary daily within the hours of 11:00 A.M. to 12:00 A.M. The petitioner does not anticipate any traffic impact due to the size of the structure and the associated parking areas.

The subject property is included in the Monroe Road Neighborhood Center District (NCD), which is intended to be a vibrant, sustainable, mixed-use area where residents and visitors can live, work, shop, dine, be entertained, and contribute to the economic vitality of the community. A Pattern Book, based on the Master Plan for the area, sets forth the vision for the development of the Monroe Road NCD and regulates the architectural massing, building types,

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heights, facades, styles, materials, and details for each development. It is also located within TID #1, which aims to attract new commercial and business development.

Design standards, connectivity, and building orientation are stressed as critical to defining and developing the character of the Monroe Road NCD. The NCD Master Plan shows the application of these elements on various sites to create a contiguous and defined district. However, an alternative master plan concept is provided on page 12 of the Pattern Book (See Figure 2) that addresses the large existing wetland complex that encumbers this particular property. The wetland area must be factored into the design of the NCD area and this property and as a result, unique design is considered. The NCD alone allows for that flexibility, but the petitioner is also requesting a PDD overlay to allow for deviation in setbacks, orientation, and street connectivity. The specifications of which are provided below.

**RECOMMENDATION:** The petitioner is requesting PDD Overlay approval. It is staff's opinion that the petitioner has proposed a development aligned within the spirit and intent of the zoning code, the Monroe Road NCD Master Plan and Pattern Book, and the Town of Ledgeview Comprehensive Plan. Staff believes sufficient detail has been provided for the ZPC to make a recommendation to the Town Board, should they choose to do so at this time.

Staff recommends the following specific deviations from the NCD be approved under the PDD overlay:

1. Multiple accessory structures (6 cocoons) on the single site in line with the unique site design and business/marketing plan.
2. A ~65-foot side setback from Monroe Road and a 46-foot front setback from Kaftan Road where 0-feet is required given the unique and numerous environmental features on the site.
3. Building entrance fronting the parking lot instead of the street (Kaftan or Monroe) given the unique and numerous environmental features on site.
4. Not require a through street to the north, connecting this property to other future development sites given the unique and numerous environmental features on site. This is reflected in the alternative Master Plan within the Pattern Book (pg. 12).
5. A 3-foot fence height around the area for outdoor alcohol sales compared to the code minimum of 4-feet.
6. Conditioned on the Cocoon Brewery BSO being approved and the conditions of that approval being met.

Dustin Wolff of Mead & Hunt gave a brief overview of the Planned Development District/rezone.

MOTION by Renee Van Rossum to approve the land division subject to the staff recommendations. The motion was seconded by Mark Chambers. No further discussion. Motion carried in a voice vote, 7-0.

**6. Old Business: None.**

**7. Staff Report**

- a. Update on future agenda items.
  - i) Land Divisions
    - (1) Steinfeldt – CSM - Terminated
  - ii) Rezones/CUP's
  - iii) Others
    - (1) Terry's Wall St Pub – BSO
- b. **Review Town Board decisions.**
  - i) 9/7 TB Meeting
    - (1) Green CSM
    - (2) Geurts CSM
    - (3) PP of Grande Ridge Estates 2<sup>nd</sup> Addition

**8. Communications by Commission members.**

Mark Handeland attended the East River Resiliency meeting earlier this month. He received information for a Green Infrastructure Audit manual.

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Mark also noted that Brown County will be reviewing the CSM processes and that the Town will be working on Ward Development.

**9. Adjourn.**

MOTION by Mark Chambers to adjourn the meeting. The motion was seconded by Kris Baran. No further discussion. Motion carried in a voice vote, 7-0. Meeting adjourned at 8:05 PM

Respectfully submitted,

*Dan Teaters*

Dan Teaters, Zoning Administrator

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