

PLAN COMMISSION
March 20, 2014



Greg Schopp called the Plan Commission meeting to order at 5:30 p.m. In attendance: Plan Commissioners Nick Ansay, David Armstrong, David Blend, Carol O'Neil, Greg Schopp and Scott Thomas. Chad Chapman was absent and excused. Village Trustees in attendance: Fred Albertz, John Swisher and Steven Wollin. Also in attendance: Village Administrator Mark Johnsrud, Village Planner Sarah Pittz with Vierbecher and Associates, and Clerk/Treasurer Joan Dykstra.

Statement of Public Notice

This meeting was posted and noticed according to law.

Approve Minutes of February 20, 2014

An Armstrong/Blend motion carried to approve February 20, 2014 minutes.

Open Conditional Use Public Hearing

An Ansay/Blend motion carried unanimously to open the public hearing at 5:31 p.m.

Proposed Conditional Use by Mike Bertram/Regency Investments/Shari Luther/Top Leap Development, LLC per Section 250-38(I) requires a conditional use to permit a Community Living Arrangement (16 or more residents) within Institutional Residential (IR) Zoning. The property is 5.72 acres, parcel #141-0715-1842-001.

Andy Swanson of 405 Whispering Way expressed concern over drainage of development, pedestrian traffic, extension of Whispering Way. Not opposed to development but wanted reassurance that development will benefit the neighborhood.

Paul Kovar of 131 Deer Crossing expressed concern over pond and tree line because it provides habitat for the sandhill cranes.

David Ryfinski of 146B Pheasant Run expressed concern over property values.

Johnsrud indicated that the conceptual plan does not affect the tree line, stormwater will be managed on site per DNR NR151 regulations for development sites greater than one acre and the development is not likely to reduce property values with a construction cost of \$3.5 million.

Close Public Hearing

A Blend/Armstrong motion carried to close the public hearing at 5:37 p.m.

Open Rezoning Public Hearing – pg

An O'Neil/Thomas motion carried unanimously to open the public hearing at 5:37p.m.

Proposed rezoning for Menard, Inc./ Pat Smith/Cooney Holdings, LLC, 385 Wright Road, Lot 1 of CSM of Menard – Johnson Creek Crossing Subdivision, 1.08 acres from §250-23(G) Planned Industrial (PI) to §250-23(E) General Business

No Comments

Close Public Hearing

An Ansay/Armstrong motion carried unanimously to close the public hearing at 5:38 p.m.

Open Conditional Use Public Hearing

An O'Neil/Thomas motion carried unanimously to open the public hearing at 5:38 p.m.

Proposed conditional Use for Menard, Inc./ Pat Smith/Cooney Holdings, LLC, 385 Wright Road, Lot 1 of CSM of Menard – Johnson Creek Crossing Subdivision, 1.08 acres requires a conditional use permit per Section §250-39(I) to allow Indoor Commercial Entertainment within General Business Zoning.

No Comment

Close Public Hearing

An O'Neil/Ansay motion carried unanimously to close the public hearing at 5:39 p.m.

Resolution 16-14 Conditional Use Permit – Top Leaf Development, LLC – Outlot 8 – Hunters Glen

Sarah Pittz reviewed the Conditional Use Permit application and the six conditions to determine approval. Pittz indicated a Conditional Use to permit Community Living Arrangements (16 or more) in Institutional Residential Zoning cannot be within 2500 feet of another facility providing Community Living Arrangements and if it exceeds 1% of the population of the Village the issuance of a Conditional Use Permit requires a public hearing at the Village Board.

Pittz stated that the application for Conditional Use meets all six conditions to determine approval.

David Blend requested an explanation of the process from Administrator Johnsrud.

Johnsrud explained that Attorney Hammes could not attend the meeting but has recommended that the Conditional Use Permit application be referred until a Site Plan application is submitted for approval. This parcel was annexed in 1998 and zoned Institutional Residential for 55 and older senior housing. The initial conceptual plan was to construct a three story 55 and older senior housing development. Top Leaf Development, LLC is proposing three – 25 unit one story buildings. The wetland pond behind this development in the Quiet Meadow subdivision did not have ponding water for wildlife until the surrounding developments discharged stormwater into this area. Therefore, Top Leaf Development, LLC will need a wetland delineation report to determine the location of the wetlands on the parcel prior to submitting a site plan. This report is dependent on the growing season so it is likely that the site plan will not be submitted until the May Plan Commission meeting.

Staff recommendation is to refer the Conditional Use Permit application until submittal of the Site Plan application and then have the Plan Commission consider both at the same time.

Nick Ansay disclosed that the general contractor building a community based residential facility in Jefferson for Top Leaf Development, LLC is his client. However, Top Leaf Development, LLC is not a client.

Pittz indicated that Community Residential Facilities (CBRF) are fully regulated by the State of Wisconsin.

Shari Luther indicated that one 25 unit building is expected to be completed this year. Demand will determine the timing of construction of additional buildings. The first building will house advanced age seniors and additional buildings may house either advanced age or dementia patients.

An O'Neil/Blend motion carried unanimously on a 6-0 roll call vote to refer Resolution 16-14 Conditional Use Permit – Top Leaf Development, LLC – Outlot 8 – Hunter Glen until a Site Plan application is submitted.

Resolution 17-14 Extraterritorial Subdivision – Dane and Tammy Hartwig – Town of Farmington

Johnsrud reviewed the ETZA application indicating that the subdivision has provided a 7 foot easement for a public roadway in accordance with a 80 foot right of way easement in accordance with the Village Comprehensive Plan. Approval of this subdivision does not provide the property owner any right to future subdivision in accordance with County zoning.

Ansary and Thomas were excused from the discussion and vote.

An O’Neil/Blend motion carried unanimously on a 4-0 roll call vote to recommend approving Resolution 17-14 Extraterritorial Subdivision – Dane and Tammy Hartwig – Town of Farmington.

Resolution 18-14 Extraterritorial Subdivision – Daryl and Donna Hartwig – Town of Farmington

Johnsrud reviewed the ETZA application stating the subdivision is in accordance with the Village Comprehensive Plan providing a 50 foot right of way from the centerline of CTH B. Approval of this Subdivision does not provide the property owner any right to future subdivision in accordance with County zoning.

Ansary and Thomas were excused from the discussion and vote.

An O’Neil/Armstrong motion carried unanimously on a 4-0 roll call vote to recommend approving Resolution 18-14 Extraterritorial Subdivision – Daryl and Donna Hartwig – Town of Farmington.

Resolution 19-14 Rezoning – 385 Wright Road – Menard, Inc.

A Thomas/Ansary motion carried unanimously on a 6-0 roll call vote to recommend approving Resolution 19-14 Rezoning – 385 Wright Road – Menard, Inc. from Planned Industrial to General Business Zoning.

Resolution 20-14 Conditional Use Permit – 385 Wright Road – Menard, Inc.

A Blend/Armstrong motion carried unanimously on a 6-0 roll call vote to recommend approving Resolution 20-14 Conditional Use Permit – 385 Wright Road – Menard, Inc. permitting Indoor Commercial Entertainment (§250-39H) within General Business Zoning.

Next Meeting – April 17, 2014 – 5:30 p.m.

Adjourn

An O’Neil/Armstrong motion carried to adjourn at 6:08 p.m.

Joan Dykstra
Clerk – Treasurer

Disclaimer: These minutes are uncorrected; any corrections made thereto will be so noted in the proceedings at which these minutes are approved.