

PLAN COMMISSION
MAY 9, 2016



John Swisher, chair called the Plan Commission meeting to order at 5:00 p.m. In attendance: Plan Commissioners: Laurie Adams, David Armstrong, Mary Nimm, C. J. O'Neil, Matthew Silkey, John Swisher, Scott Thomas. Village Trustees in attendance: Tim Semo, Donald Smith, Dale Theder and Steve Wollin. Also in attendance: Village Planner Mike Slavney with Vandewalle & Associates, Village Attorney James Hammes and Clerk/Treasurer Joan Dykstra.

Statement of Public Notice – This meeting was posted and noticed according to law.

Approve Minutes of April 11, 2016 and April 11th, Joint Village Board/ Plan Commission

An Armstrong/Nimm motion carried unanimously on a 6-0-1 vote with O'Neil abstaining to approve the Plan Commission minutes of April 11th and the joint Village Board/Plan Commission minutes also of April 11th.

Open Public Hearing: Re-Zoning from Planned Industrial (PI) to Planned Development (PD)/General Development Plan (GDP) for parcel: Lot 1, 28.8201 acres, of a CSM within the River Creek Centre subdivision located North of Resort Drive between Rainbow Lane and County Highway Y

A Nimm/Thomas motion carried to open the public hearing at 5:02 p.m.

Nelson Williams, CEO, owner, general contractor and developer also of Trek, explained the modifications to the zoning to allow for a zero lot line on two halves of the parcel. This is needed to separate the first phase of the building from the second phase/future addition for financing purposes. The need is to split the lot in half on the western half of the building including the parking lot on one site and the second phase would be built on the adjacent site that will also be owned and under the same control, but two separate parcels.

Hammes asked why the reason for zero lot line. Williams said it was for financing and to get the deal done to get a loan for the building as a standalone project not knowing the future. There would be a separate loan on the other site when that moves forward in one to five years.

Hammes questioned what happens if the two additions do not move forward in the future? Williams stated they agree to a 15 year lease with irrevocable rights with two five-year extensions. Nothing will happen on this lot that isn't tied to the original tenant. If the additions do not happen, or they give up their option, they agree to reset to the existing covenants with the 50 foot set back on any building to make this a conforming site. This is so the tenant can build now and get a financing.

Slavney said we cannot do a zero lot line as part of the regular zoning. We can do this on this lot with customized rules through the general development plan. Hammes questioned if the development/tenant does not move forward if the zoning reverts back. Slavney said if the expansion does not happen they must, at that time, meet all setbacks. All buildings must conform to all setbacks.

Hammes stated the other certified survey map to combine all the lots has not been recorded as we need one ownership. Slavney said we need to amend the zoning first, to include that all buildings must convert back to all setbacks.

Thomas questioned the CSM combination. Hammes said the CSM's were approved in April. The recording of the approved CSM with the closing of the town properties has not been recorded nor has the CSM combining the annexed CSM with lots 1 and 2. There would be a third CSM if the project doesn't happen would require the 50' set back on the vacant lot.

Adams questioned the time frame. Williams said the tenant has option with a 10 year lease with two 5 year extensions. It will be on the tax roll as vacant property, stated Hammes.

Close Public Hearing

An Adams/Armstrong motion carried to close the public hearing at 5:13 p.m.

Recommendation re: Re-Zoning - Planned Industrial (PI) to Planned Development (PD)/General Development Plan (GDP) for parcel: Lot 1, 28.8201 acres, of a CSM within the River Creek Centre subdivision located North of Resort Drive between Rainbow Lane and County Highway Y

A Thomas/Nimm motion carried on a voice vote to recommend approving the rezoning from Planned Industrial to Planned Development/General Development Plan for parcel: Lot 1, 28.8201 acres, of a CSM within the River Creek Centre subdivision located North of Resort Drive between Rainbow Lane and County Highway Y and if the expansion/addition does not move forward the property will revert back to all setbacks.

Johnson Creek School District – Amended Site Plan

Planner Slavney said refinements have been made to the site plan showing the conceptual of the site of the athletic facilities, signage site, acceleration and deceleration lanes, with the pedestrian walk crossing the wetlands at a narrow point on a boardwalk -- out to CTH B and into the Village, the ground service building which is 40 x 60 is located on the east side of the lot, and the location of the concession stand at the athletic field.

Slavney said the lighting plan is great and will save the taxpayers a lot of money, and the main sign meets the code. Slavney recommended approving the amended site plan subject to the following:

1. Provide an east-west sidewalk and crosswalk south of the school garden, connecting the high school gym with the football field.
2. Provide a crosswalk connecting the high school gym with the baseball diamond, and a sidewalk west to the concession stand – along the south side of the south parking lot.
3. The area around the concession stand should also be paved.

Slavney said this is a complicated campus, so approval will be done in increments. Swisher questioned the landscape plan. Slavney stated we require formulas for landscape and we have seen a conceptual landscape plan and it will be revisited. Landscaping is required within one year of occupancy, though two years is reasonable on a site this large.

An Armstrong/Adams motion carried on a voice vote to recommend approving the amended site plan which includes approved signage, lighting plan and subject to the addition of 1) an east-west sidewalk and crosswalk south of the school garden, connecting the high school gym with the football field; 2) a crosswalk connecting the high school gym with the baseball diamond, and a sidewalk running west to the concession stand – along the south side of the south parking lot; and, 3) the area around the concession stand should also be paved.

ETZA – James Erb, Jr./Elizabeth Klucarich-Erb – Town of Milford

Scott Thomas explained there has been an agricultural easement included with the ETZA so not to create a land lock, even though it may never be built on.

An O’Neil/Nimm motion carried on a voice vote 6-0-1 with Thomas abstaining to recommend approving the ETZA James Erb, Jr./Elizabeth Klucarich-Erb – Town of Milford with the addition of the agricultural easement.

Next Meeting – June 13, 2016 - 5:00 p.m.

Adjourn

An Armstrong/Nimm motion carried to adjourn at 5:28 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.