

VILLAGE OF JOHNSON CREEK
MEETING NOTICE
125 Depot Street, Johnson Creek, WI 53038

PLAN COMMISSION
April 17, 2014
Village Hall
125 Depot Street
5:30 p.m.

1. Call to order - Roll Call
2. Statement of Public Notice
3. Approve Minutes of March 20, 2014- *pgs 2-4*
4. Open Conditional Use Public Hearing – *pgs 5-17*
Proposed Conditional Use for Gobbler Restaurant, Inc. by Daniel A. Manesis, Manesis & Associates, LLC per Section 250-39(H) requires a conditional use to permit Indoor Commercial Entertainment within Planned Business (PB) Zoning. The property is 9.168 acres, parcel #141-0715-0731-001.
5. Close Public Hearing
6. Open Conditional Use Public Hearing – *pgs 18-24*
Proposed Conditional Use for Adams Rental Investments, LLC/Jon and Laurie Adams per Section 250-37(G) requires a conditional use to permit clear cutting within General Institutional (GI) Zoning. The property is 1.02 acres, parcel #141-0715-1821-016.
7. Close Public Hearing
8. Resolution 34-14 Conditional Use Permit – 350 N. Watertown Street – Gobbler
9. Resolution 35-14 Conditional Use Permit – Adams Rental Investments
10. Next Meeting – May 15, 2014 – 5:30 p.m.
11. Adjourn

Members: David Armstrong, Nick Ansay, Chad Chapman, Greg Schopp, C.J. O’Neil and Scott Thomas.

*Page/packet numbers relate to meeting packets distributed to appropriate commission/committee members.

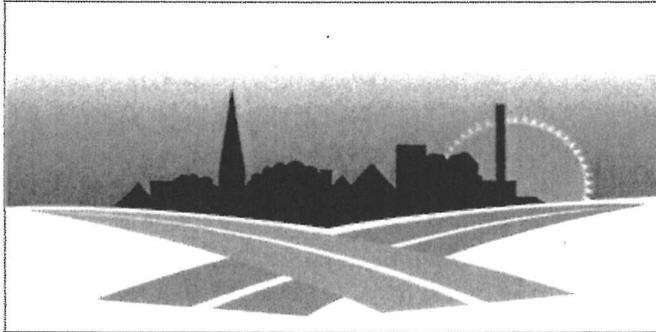
NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the meeting above to gather information. No action will be taken by any governmental body at the meetings above other than by the governmental body specifically referred to in the above notice.

Requests from persons with hearing or sight disabilities who need assistance to participate in this meeting should be made to the Village Clerk’s Office at (920) 699-2296 with as much advance notice as possible.

<i>Agenda Posting Information</i>	
Date Posted	
Time	a.m. / p.m.
Initials	

Village of Johnson Creek

Crossroads With A Future



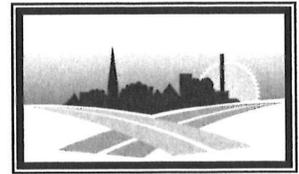
Plan Commission Report

April 17, 2014

Prepared by

Mark Johnsrud

Village Administrator/Zoning Administrator



**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.

Ansay 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.

Ansay 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/Ansay 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

A 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.

AGENDA ITEM – PC2014-0417-01

ROUTING:

Village Board 4-28-14

BACKGROUND INFORMATION:

350 N. Watertown Street is the location of the formerly Gobbler Restaurant.

GENERAL LOCATION:

West side of N. Watertown Street at the corner of Hartwig Blvd.

RECOMMENDATIONS OF OTHER BOARDS AND COMMISSIONS:

N/A

CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:

This conditional use is to permit Indoor Commercial Entertainment within Planned Business zoning which is consistent with the past use of the property and the comprehensive plan.

STAFF ANALYSIS:

The developer, Daniel A. Manesis, Manesis & Associates, LLC is requesting a Conditional Use Permit (CUP) to permit indoor commercial entertainment at 350 N. Watertown Street, a 9.16 acre parcel, currently zoned Planned Business.

The developer has provided a conceptual plan of the proposed redevelopment to include a theatre with 400 seat stadium seating. The development is to serve beer and wine only. A liquor license has not been requested. The Village Planner, Sarah Pittz, has provided a letter of review.

The property has remained vacant for over a decade. The conditional use to permit indoor commercial entertainment to be used as a theatre with stage and bar serving beer and wine only is complimentary to the commercial and light industrial uses of surrounding parcels.

RESOLUTION 34-14

CONDITIONAL USE PERMIT
350 N. WATERTOWN STREET
GOBBLER

THE VILLAGE BOARD OF THE VILLAGE OF JOHNSON CREEK, JEFFERSON COUNTY, WISCONSIN, DOES RESOLVE AS FOLLOWS:

WHEREAS, Daniel A. Manesis, Manesis & Associates, LLC is requesting a conditional use to permit indoor commercial entertainment at 350 N. Watertown Street (Planned Business) to redevelop the former Gobbler Restaurant into a theatre with approximately a 400 seat capacity, and

WHEREAS, Indoor Commercial Entertainment (§250-39H) is a permitted as a conditional use with Planned Business zoning, and

WHEREAS, any conditional use permit will be subject completion of the site plan for the development of the theater as proposed, and

NOW THEREFORE BE IT RESOLVED, that the Plan Commission recommends to the Board of Trustees of the Village of Johnson Creek to approve a conditional use to permit Indoor Commercial Entertainment (§250-39H) at 385 Wright Road, parcel #141-0715-0731-001, subject to the completion of the development in accordance with the attached site plan for a 400 seat theater named The Gobbler Theater, and

BE IT FURTHER RESOLVED, that the Village Administrator and the Village Clerk/Treasurer have the authority to effectuate this resolution.

PASSED AND ADOPTED by the Village Board of Trustees this 28th day of April 2014.

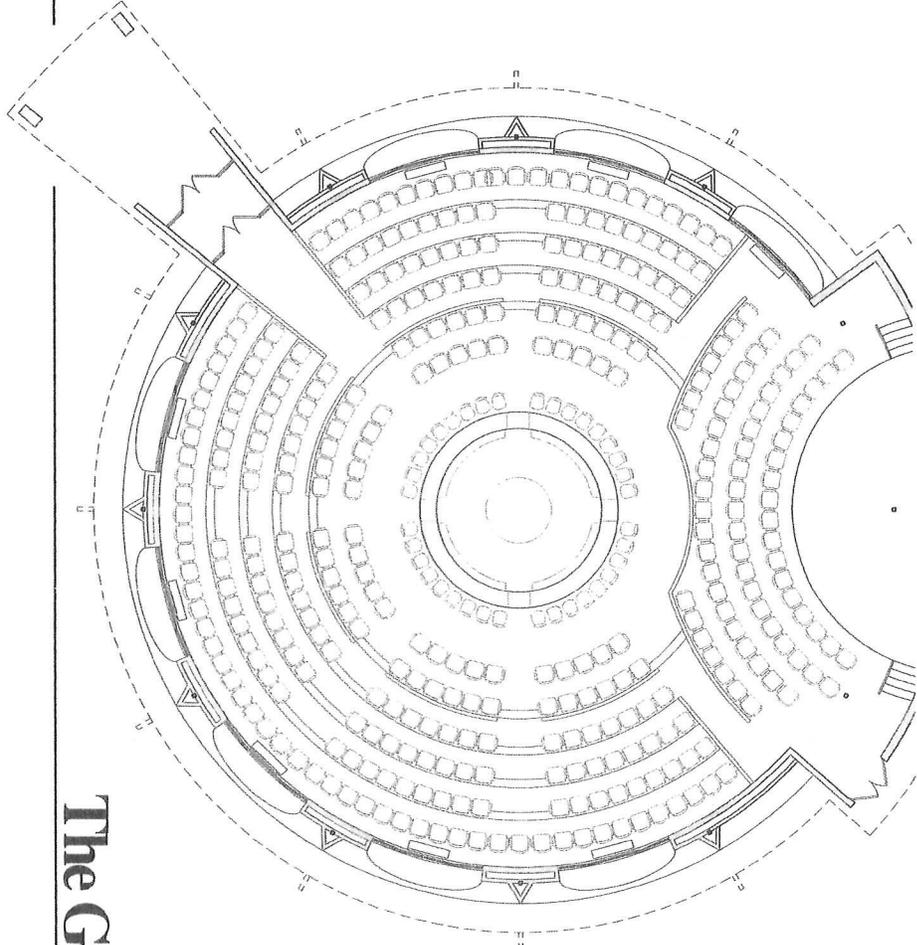
Greg Schopp, Village President

ATTEST:

Joan Dykstra Clerk-Treasurer

25 March, 2014

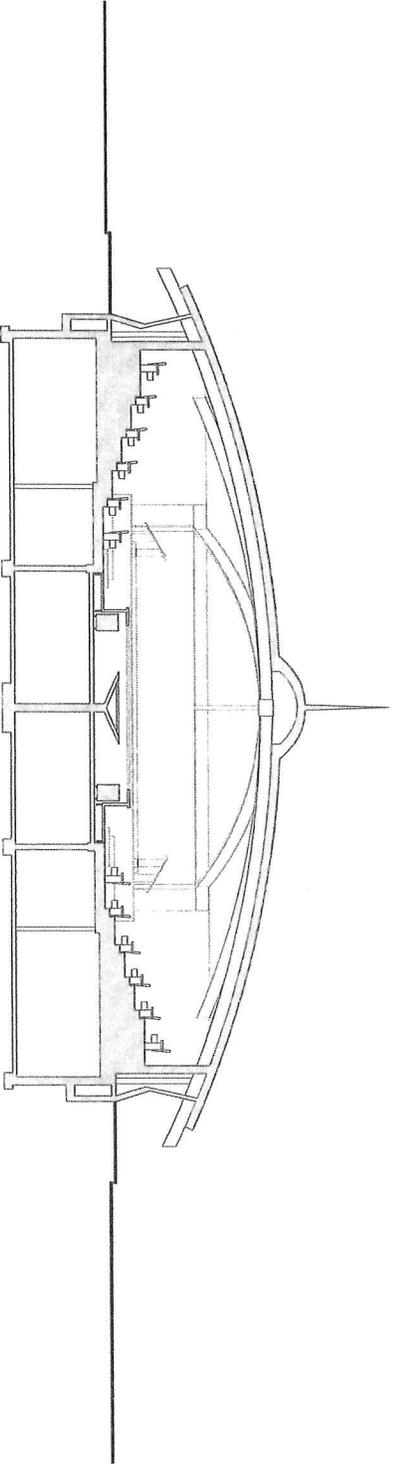
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The Gobbler Theater

Proposed Floor Plan

$\frac{1}{8}'' = 1'-0''$



The Gobble Theater

Proposed Interior Elevation (Looking toward the stage)

$\frac{3}{8}'' = 1'-0''$

25 March, 2014

VILLAGE OF JOHNSON CREEK

125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2296)
www.johnsoncreek-wi.us

CONDITIONAL USE APPLICATION Village Zoning Code - Chapter 250-124

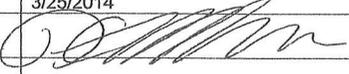
The following information and documentation must be submitted to the Village Administrator. Please type or print this information:

Address of Subject Property 350 N Watertown Street	Parcel # 141-0715-0731-001 Parcel # 141-0715-0732-00vacant lot
Name of Architect, Professional Engineer, or Contractor Contractor: Bart Wellenstein Architect: Chuck Western	
Property is presently used as: Vacant restaurant	Present Zoning PB
Type of structure and proposed use of structure or site (including number of employees, if applicable) Existing vacant masonry building, remodel interior of existing building to accommodate theatre for live music, number of employees pending	
Zoning Code Ordinance Number for Conditional Use #250 -39H	
Reason/Nature of requested Conditional Use: Remodel vacant historic building to accommodate wholesome live music entertainment in conjunction with local community needs.	
Applicant	
Name Daniel A. Manesis	
Company Manesis & Associates, LLC	
Address 11225 W. Rogers St PO Box 207285	West Allis WI 53227
Daytime Phone 414-327-4448	Fax 414-327-1232
Cell Phone 414-333-4385	E-mail manesistran@sbcglobal.net

C:\Users\Owner\Documents\GOBBLER\Conditional Use.doc

VILLAGE OF JOHNSON CREEK
 125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2298)
 www.johnsoncreek-wi.us

CONDITIONAL USE APPLICATION

Property Owner*				
Name Daniel A. Manesis (member) and Bart Wellenstein (member)				
Company Manesis & Associates, LLC				
Address 11225 W. Rogers St PO Box 207285		West Allis	WI	53227
Daytime Phone 414-327-4448		Fax 414-327-1232		
Cell Phone Dan: 414-333-4385		E-mail manesistran@sbcglobal.net		
* A list of all Registered Principals must accompany this application				
Only 2 members: Daniel A. Manesis (member) and Bart Wellenstein (member)				
Agent				
(Person representing applicant to be notified of meeting and given copies of reports)				
Name Daniel A. Manesis				
Company Manesis & Associates, LLC				
Address 11225 W. Rogers St PO Box 207285		West Allis	WI	53227
Daytime Phone 414-327-4448		Fax 414-327-1232		
Cell Phone 414-333-4385		E-mail manesistran@sbcglobal.net		
Signature of Applicant				
Date Signed	3/25/2014			
Signature of Owner				
Date Signed	3/25/2014			
Signature of Agent				
Date Signed	3/25/2014			

C:\Users\Owner\Documents\GOBBLER\Conditional Use.doc

VILLAGE OF JOHNSON CREEK
125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2296)
www.johnsoncreek-wi.us

CONDITIONAL USE APPLICATION

II. Justification of the Proposed Zoning Ordinance Amendment for Applicant Use

1. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

To offer a small, live entertainment venue that offers service not only to Johnson Creek but also neighboring communities. This venue will accentuate the current building trend in the area. Additionally, offering its specific use to the local high school and business groups.

2. How is the proposed conditional use, in its specific location, in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

Our objective is to preserve one of Wisconsin's most unique and notable landmarks.

To accomplish this goal the exterior of the property must remain as is. Of course, we will make all necessary upgrades and repairs.

The interior will also remain as is with the exception of the replacement of tables with modern stadium seating. The ground floor kitchen will be converted to a state of the art live performance stage. And of course, the rotating bar will remain.

The facility will only be open to accommodate live concerts and special events.

3. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 250-124(c)(4)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development?

No exterior changes will be made.

4. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

Property will remain in historic condition.

VILLAGE OF JOHNSON CREEK
125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2296)
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CONDITIONAL USE APPLICATION

5. Is the proposed conditional use located in an area that will be adequately served by and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

By purchasing the additional paved parking lot we will be able to accommodate all patrons without any neighborhood inconvenience.

6. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Subsections 250-124 (D)(3)(a through e), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?

We all want to save the Gobbler. With your help, direction and permission, we will do just that. Our plan will assure current and future success of it.



999 Fourier Drive, Suite 201
 Madison, Wisconsin 53717
 (608) 826-0532 phone
 (608) 826-0530 FAX
 www.vierbicher.com

April 9, 2014

Village of Johnson Creek Plan Commission
 c/o Mark Johnsrud, Administrator
 125 Depot Street
 Johnson Creek, WI 53038

RE: Review of Conditional Use Permit Application for The Gobbler, Johnson Creek

Dear Plan Commission Members,

This letter provides a review of the Conditional Use Application submitted by Daniel Manesis of Manesis & Associates, LLC on March 25, 2013. The application proposes the reuse of the historic Gobbler building, located at 350 N. Watertown Road, as a live theater/performing arts center. The site is currently zoned Planned Business (PB), which "is intended to permit large- and small-commercial development which is compatible with the desired overall community character of the area in general". The application requires a conditional use permit to operate a "Indoor Commercial Entertainment" use within the PB zoning district. The application that has been submitted proposes improvements to the interior of the existing vacant building (a former restaurant) to accommodate a stage for performances, theater style seating and a bar. No exterior improvements outside of maintenance issues have been identified as part of this application.

Conditional Use Permit Requirements

Conditional use review and approval procedures are governed under Section 250-124 of the zoning code. The ordinance outlines six specific decision criteria for determining the appropriateness of a conditional use, which are outlined below with commentary regarding the application in regards to each item. It is appropriate for the Plan Commission to make determinations on each of these conditions individually when developing a recommendation for the application.

- a. *Is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, this chapter, and any other plan, program or ordinance adopted or under consideration pursuant to official notice by the Village?*

The Comprehensive Plan is the adopted document utilized to assist with guiding future growth within the Village. Its purpose is to identify areas appropriate for development and preservation and recommend appropriate types of land use for specific areas of the Village. It does this by developing goals, objectives and policies for areas impacting community development, such as transportation, housing, and community facilities.

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Reedsburg (608) 524-6468 Madison (608) 826-0532 Prairie du Chien (608) 326-1051

The Comprehensive Plan outlines a variety of goals, objectives and policies that promote a diverse land use base within the Village. This diverse set of uses is intended to create a vibrant and healthy community that offers a high quality of life for local residents. The Plan also focuses on preserving and promoting reuse of existing buildings whenever possible and ensuring that mixed-use neighborhoods are compatible and provide a variety of employment, shopping, housing and recreation opportunities. This particular proposed use (Indoor Commercial Entertainment) provides a valuable use that further diversifies the offerings within the Village and adds to the quality of life for local residents and visitors from throughout the region.

As Village Planner, I have not found the proposed conditional use of Indoor Commercial Entertainment to be inconsistent with any of the overall purposes, goals, objectives, or policies of Village plans, programs or ordinances.

- b. *Is the proposed conditional use (in its specific location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, this chapter, and any other plan, program or ordinance adopted or under consideration pursuant to official notice by the Village?*

The goals, objectives and policies of the Village's Comprehensive Plan promote preserving and taking advantage of "culturally-significant" buildings within the community. While the Gobbler building is not included on either the State or National Registers of Historic Places, it holds significance within the region as an important structure. The proposed conditional use application maintains the neighborhood context as it has existed since the structure was constructed in 1967.

In close proximity to the Interstate, the traffic generated by this particular use will have easy access to the site from major highways without traveling through local residential streets. The adjacent uses to this site are also compatible with the proposed Indoor Commercial Entertainment use.

The proposed use is consistent with the existing zoning for the site (Planned Business) and the neighborhood and as the Village Planner, I have not found the proposed conditional use to be inconsistent with any of the objectives, policies or standards of Village plans or programs for this specific location.

- c. *Does the proposed conditional use, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the Comprehensive Plan, or any other plan, program, map or ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development?*

As discussed elsewhere in this review, the proposed use is consistent with the long-term vision of the Village as a commercial use, as identified in the Comprehensive Plan and Zoning Map.

The primary concern regarding public impact is managing the traffic associated with this particular use. As a theater facility, high traffic volumes will be traveling to and from the site during very condensed timeframes. It is important not only that enough parking is provided on the site, but that the traffic volumes do not have an adverse effect on the surrounding neighborhoods. Based on only a visual count of the number of proposed seats in the theater as depicted on the plan included in the application, there is room for approximately 450 patrons, in

As the Village Planner, it is my opinion that the traffic volumes caused by the theater can access primary and secondary traffic corridors and will disperse quickly enough after shows to not become an issue for the surrounding neighborhoods. While there may be limited congestion during evening hours, these timeframes will likely be brief. I have not identified any other undue adverse impacts on any matters affecting the public health, safety or general welfare of the Village.

- d. *Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?*

The proposed conditional use maintains an existing commercial structure that has been sitting vacant for more than a decade. It does not propose to create any additional development or density, but repurpose an structure that is adequately sited for commercial use. Neither the land use intensity nor the impacts are anticipated to increase due to the proposed use.

As the Village Planner, I have not identified any inconsistencies with the proposed conditional use application in terms of land uses, intensities, or impacts related to the subject property.

- e. *Is the proposed conditional use located in an area that will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?*

Please see item C above for discussion regarding potential traffic impacts. While that discussion focused on impacts of surrounding neighborhoods, the same discussion is applicable to impacts on public facilities in terms of roadways and traffic signals. It is recommended that the Village request information from the applicant regarding the amount of additional traffic generated by the site and request a review by the Village Engineer to provide detailed recommendations for any necessary infrastructure upgrades. If the traffic generated by the site becomes too burdensome, there may also be assistance required in the future from a Village Police Officer to direct traffic or oversee the site to ensure public safety is maintained.

- f. *Do the potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?*

The proposed conditional use provides an amenity for Village residents and the larger region by providing an entertainment venue that will enhance the local quality-of-life and enhance local economic development. It will resurrect a culturally significant building within the region that has been sitting vacant for far too long. While improvements are needed on the interior of the building, the exterior façade will remain largely untouched except for addressing necessary maintenance issues. Therefore, the proposed conditional use provides a public benefit by offering an additional entertainment option for the local population in addition to promoting local and regional economic development.

As the Village Planner, it is my opinion that the public benefits of the proposed conditional use outweigh the potential adverse impacts, namely the impact of increased traffic generation on the residential neighborhood to the south.

Conclusion

In each of its recommendations, it is appropriate for the Plan Commission to cite the evidence upon which it has based its recommendation for each of the Conditional Use criteria individually. If you

addition to employees. No exact counts have yet been provided by the applicant, therefore this number is just being used as an approximation. Assuming patrons were traveling two people per vehicle, the theater could potentially expect 225 cars on the site just for guests. If all of these cars are expected to arrive and depart from the site within an hour of the theater's show time, there is a substantial amount of traffic at during those short timeframes.

It would be appropriate for the applicant to provide more detailed information in regards to their expected capacity and anticipated number of employees to get a better understanding of potential traffic impacts. Programming of the facility is also important, as the times and days of the week of anticipated shows may impact how much this traffic overlaps with already existing traffic patterns. For example, if theater traffic were to occur in the late afternoon/early evening during the week, it may overlap with the vehicles utilizing the adjacent park-and-ride facility. I would encourage the Plan Commission to request additional detail from the applicant in regards to the anticipated programming schedule.

Indoor Commercial Entertainment uses have a parking requirement of "one space per every three patron seats or one space per three persons at the maximum capacity of the establishment, whichever is greater" (250-39(H)(2)). At 450 seats, this is potentially a minimum of 150 required parking stalls. The applicant has indicated that they intend to purchase an additional paved parking lot to accommodate patrons and avoid any neighborhood inconvenience. Since the property to the north was recently developed, this review assumes the applicant is referring to an existing parking lot to the south of the structure. Site plans will need to be submitted at a later date that identify adequate parking consistent with the requirements of the Zoning Ordinance.

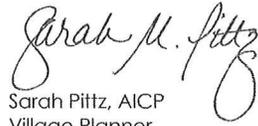
Access to the primary site is located just to the north of Hartwig Boulevard off of Watertown Road. If the southern parking lot is utilized, the secondary access point is located opposite of Bobcat Lane. The primary benefit regarding traffic circulation for this particular site is that it is located very near the off-ramp of the eastbound lane of Interstate 94, and Watertown Road is also easily accessible from the westbound lane. It is assumed that a large portion of visiting traffic may be utilizing this route and therefore would not have substantial impact on local Village streets. Hartwig Blvd may also see expanded traffic counts, however, this road serves as a secondary connection through the Village that does not negatively impact residential neighborhoods. The primary concern for increasing traffic patterns is through the downtown core along N. Watertown Street. This narrow roadway could easily become backed up from the south if large amounts of traffic choose to go this direction. However, as a slower, tertiary route to the site, people familiar with the Village may choose to avoid this route.

If the Plan Commission is concerned about the potential impact of traffic flow due to this particular use, they have the ability to request the applicant to complete a Traffic Impact Analysis (TIA) that provides a detailed breakdown of anticipated traffic counts. A TIA is typically prepared by a licensed traffic engineer. However, it is unlikely that the Village would require much, if any, infrastructure upgrades to accommodate this traffic, as the theater does not operate within the same type of business daily framework as a traditional commercial business. Therefore, a Traffic Impact Analysis may not be appropriate. If there are alternative requests or suggestions for ensuring traffic flow is adequately managed, they should be discussed at this time. I would recommend that the Village obtain feedback from their Engineer regarding potential traffic improvements to reduce congestion. For example, perhaps a right-turn lane should be added from Watertown Road into the site to alleviate back-ups caused by traffic coming from the Interstate. Depending on the anticipated traffic counts, these are the types of detailed recommendations that a licensed traffic engineer could make. Any necessary infrastructure upgrades to accommodate traffic and maintain public safety would be at the expense of the property owner.

April 9, 2014
Page 5 of 5

should have any questions or need additional information prior to the March Plan Commission meeting, please do not hesitate to contact me at (608) 768-4812 or by e-mail at smpit@vierbicher.com.

Sincerely,


Sarah Pittz, AICP
Village Planner

vierbicher 

AGENDA ITEM – PC2014-0417-02

ROUTING:

Village Board 4-28-14

BACKGROUND INFORMATION:

Parcel # 141-0715-1821-016 is a vacant parcel next to 201 Grell Lane owned by Adams Rental Investments, LLC

GENERAL LOCATION:

Parcel # 141-0715-1821-016 is located just east of 201 Grell Lane.

RECOMMENDATIONS OF OTHER BOARDS AND COMMISSIONS:

N/A

CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN:

Clearing cutting is permitted as a conditional use within General Industrial zoning and the Comprehensive Plan

STAFF ANALYSIS:

The Village has garnered the award of Tree City USA in the management of our urban forest for eight straight years. The destruction of wooded areas is not encouraged within our zoning code hence the reason of requiring a conditional use permit within all zoning to reduce the forest by greater than 30% on any parcel.

The parcel is zoned General Industrial with all surrounding properties within General Industrial zoning as well. The parcel is not completely wooded but maintains a mixture of open grassy and wooded areas. All the trees have grown on the parcel as volunteer trees to include a mixture of native Silver Maple and Boxelder species.

Clear cutting the parcel will not affect any residential properties. The site plan provided by Adam Rental Investments, LLC includes the creation of four gardens and green space. Landscaping with be provided next to the road. The site plan does not include any development plans therefore a landscape plan is not necessary.

Completion of the site plan should improve the appearance of the parcel. If clear cutting is approved as a conditional use it should be subject to completion of the site plan. If the site plan is not completed a reforestation plan is required per §250-69.

RESOLUTION 35-14

CONDITIONAL USE PERMIT
PARCEL 141-0715-1821-016
ADAMS RENTAL INVESTMENTS, LLC

THE VILLAGE BOARD OF THE VILLAGE OF JOHNSON CREEK, JEFFERSON COUNTY, WISCONSIN, DOES RESOLVE AS FOLLOWS:

WHEREAS, Laurie and Jon Adams of Adams Rental Investments is requesting a conditional use to permit Clear Cutting (§250-37G) for parcel 141-0715-1821-016 (General Industrial) to use the property for gardening, and

WHEREAS, Clear Cutting (§250-37G) is permitted as a conditional use within General Industrial zoning, and

WHEREAS, any conditional use permit will be subject completion of the site plan, and

NOW THEREFORE BE IT RESOLVED, that the Plan Commission recommends to the Board of Trustees of the Village of Johnson Creek to approve a conditional use to permit Clear Cutting (§250-37G) on parcel #141-0715-1821-016, subject to the completion of the development in accordance with the attached site plan, and

BE IT FURTHER RESOLVED, that the Village Administrator and the Village Clerk/Treasurer have the authority to effectuate this resolution.

PASSED AND ADOPTED by the Village Board of Trustees this 28th day of April 2014.

Greg Schopp, Village President

ATTEST:

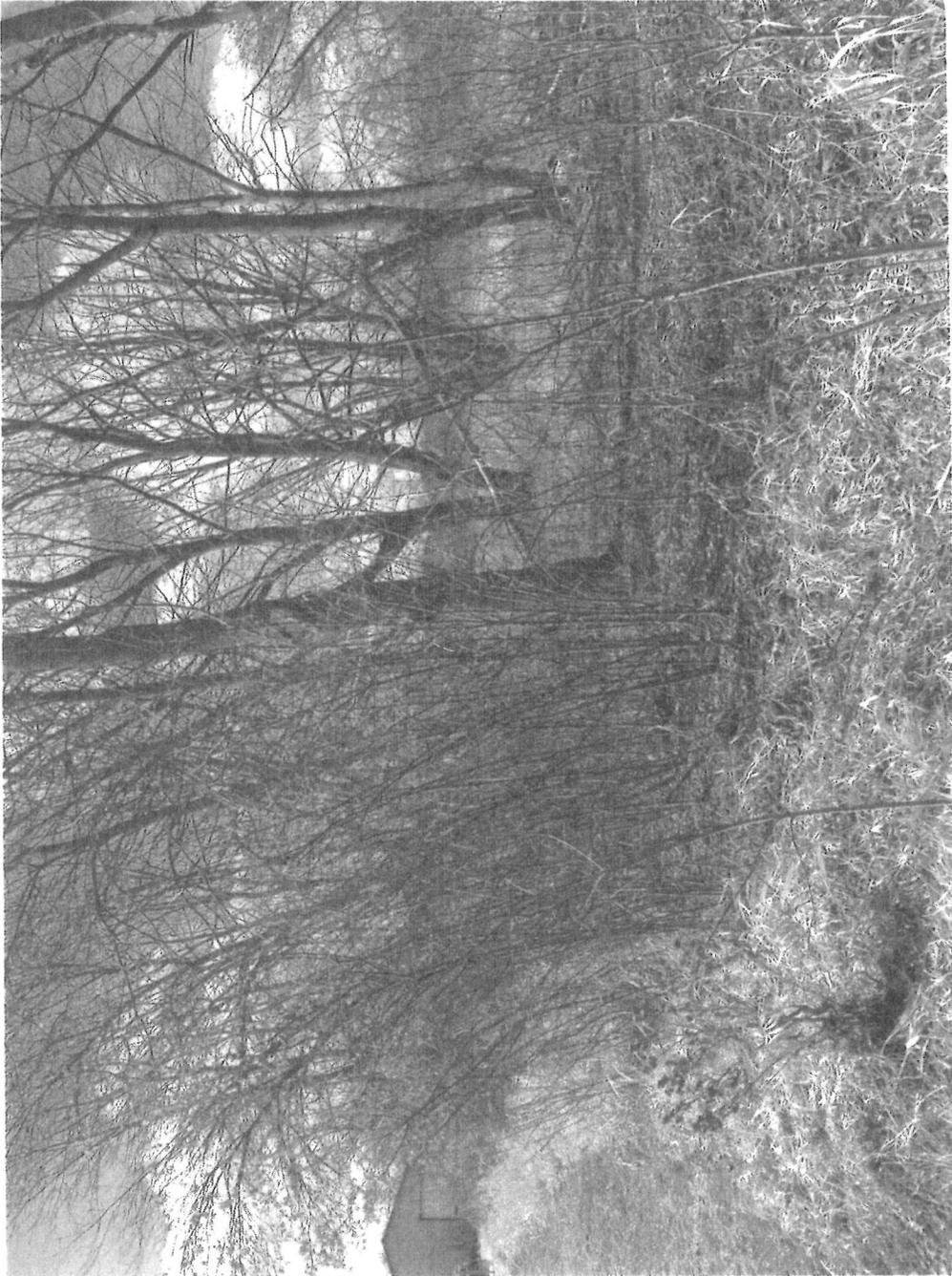
Joan Dykstra Clerk-Treasurer



Google earth



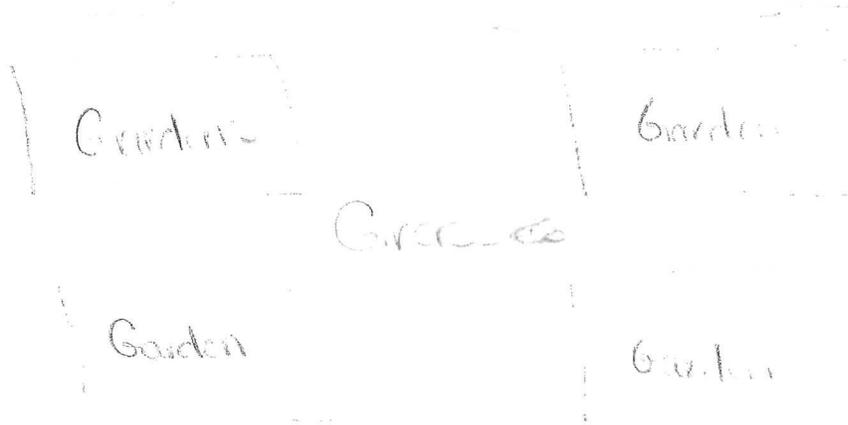
current



Current



FUTURE



Herb + Shrubs by road

VILLAGE OF JOHNSON CREEK
 125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2296)
 www.johnsoncreek-wi.us

CONDITIONAL USE APPLICATION
 Village Zoning Code - Chapter 250-124

The following information and documentation must be submitted to the Village Administrator. Please type or print this information:

Address of Subject Property <u>Else St.</u>		Parcel # <u>141-0715-1821-016</u>	
Name of Architect, Professional Engineer, or Contractor <u>Two Guys Trimming</u>			
Property is presently used as: <u>Empty Lot</u>		Present Zoning	
Type of structure and proposed use of structure or site (including number of employees, if applicable)			
Zoning Code Ordinance Number for Conditional Use #250			
Reason/Nature of requested Conditional Use: <u>Cut down all trees (Box Elder and scrap trees)</u> <u>to plant grass and gardens with trees & shrubs</u> <u>Nothing has even been done with this lot</u> <u>When the building at 201 Grell was built</u> <u>the dirt was put on this empty lot so we would</u> <u>like to cut trees and make level. To make it</u> <u>look beautif beautiful.</u>			
Applicant			
Name <u>Jon & Laurie Adams</u>			
Company <u>Adams Rental Investments</u>			
Address <u>201 Grell Ln.</u>		City <u>Johnson Creek</u>	State <u>WI</u> Zip <u>53038</u>
Daytime Phone <u>715-340-4434</u>		Fax	
Cell Phone		E-mail <u>laurie.adams@me.com</u>	

VILLAGE OF JOHNSON CREEK
125 Depot Street, P. O. Box 238, Johnson Creek, WI 53038 (920-699-2296)
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CONDITIONAL USE APPLICATION

II. Justification of the Proposed Zoning Ordinance Amendment for Applicant Use

1. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

It will look beautiful compared to the overgrowth the lot currently has.

2. How is the proposed conditional use, in its specific location, in harmony with the purposes, goals, objectives, policies and standards of the Village of Johnson Creek Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

Same as above

3. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 250-124(c)(4)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development?

Same as Above

4. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

Same AS Above

