

City of Verona
Minutes
Plan Commission
July 6, 2016
Verona City Hall

1. Jon Hochkammer called the meeting to order at 6:34 p.m.
2. Roll Call: Jon Hochkammer, Scott Manley, Jeff Horsfall and Jon Turke. Jack Linder, Patrick Lytle and Steven Heinzen were absent and excused. Also present Adam Sayre, Director of Planning and Development; Carla Fischer, City Engineer; Holly Licht, Deputy Clerk.
3. Minutes: Motion by Horsfall, seconded by Turke, to approve the June 6, 2016 Plan Commission minutes. Motion carried 4-0.
4. **Public Hearing: Precise Implementation Plan (PIP) for a planned unit development located at 506, 508, and 514 Commerce Parkway. The proposed PIP will allow for the construction of a 20,020 square foot building addition.**

Motion by Turke, seconded by Horsfall, to open the public hearing at 6:35 p.m. Motion carried 4-0.

There were no comments from the public.

Motion by Horsfall, seconded by Turke, to close the public hearing at 6:36 p.m. Motion carried 4-0.

- a. **Precise Implementation Plan (PIP) for a planned unit development located at 506, 508, and 514 Commerce Parkway. The proposed PIP will allow for the construction of a 20,020 square foot building addition.**

Mr. Sayre explained that the City approved a General Development Plan for this site in June of 2016. The proposed 20,020 square foot warehouse addition is consistent with the approved GDP. The applicant is proposing one new access point from Commerce Parkway. A photometric plan was not submitted with the proposal; this will need to be submitted before building permits are issued.

Mr. Horsfall asked if the dimensions of the driveway would be sufficient enough to accommodate the trucks coming in and out of the property. Mr. Sayre responded that Mr. Montpas has not raised any concerns about the driveway.

Mr. Manley asked if the applicant decided to move forward with Phase 3 of the project, would there be another PUD. Mr. Sayre said it would just be an additional PIP review.

Motion by Horsfall, seconded by Turke, to recommend that the Common Council approve a Precise Implementation Plan for a planned unit development located at 506, 508 and 514 Commerce Parkway with the following condition:

1. Prior to the issuance of building permits, a photometric plan shall be approved by the Director of Planning and Development.

Motion carried 4-0.

5. **Public Hearing: Conditional Use Permit for a proposed 10,782 square foot group daycare center to be located at 590 Hometown Circle.**

Motion by Turke, seconded by Manley, to open the public hearing at 6:42 p.m. Motion carried 4-0.

There were no comments from the public.

Motion by Horsfall, seconded by Turke, to close the public hearing at 6:43 p.m. Motion carried 4-0.

a. Conditional Use Permit for a proposed 10,782 square foot group daycare center to be located at 590 Hometown Circle.

Mr. Sayre explained that the Plan Commission provided initial review of this project in June. The Plan Commissioners had concerns about the pitch of the roof being too steep. Mr. Sayre added that due to existing easements on the west side of the property, the applicant is reducing the number of parking spaces to avoid construction within the easement. Because of this change, the applicant is losing four parking spaces. The applicant is working with Farm & Fleet on an agreement for shared parking. If an agreement is reached, staff recommends the construction of a pedestrian walkway between the day care center and the Farm & Fleet parking lot. Staff also recommends the applicant add a connection between the private sidewalk on the north side of the building and the public sidewalk on Hometown Circle. Mr. Sayre presented photos of similar Rainbow Daycare Centers and pointed out that the roof is not as steep as the plans appear.

Motion by Turke, seconded by Manley, to recommend that the Common Council approve a conditional use permit for a proposed 10,782 square foot group daycare center to be located at 590 Hometown Circle.

Motion carried 4-0.

b. Site plan review to allow for the construction of a 10,782 square foot daycare facility, known as Rainbow Child Care Center, to be located at 590 Hometown Circle.

Motion by Manley, seconded Turke, to approve the site plan review to allow for the construction of a 10,782 square foot daycare facility, known as Rainbow Child Care Center, to be located at 590 Hometown Circle with the follow conditions:

1. Prior to the issuance of building permits, the applicant shall enter into a shared parking agreement with Farm and Fleet.
2. The applicant shall provide a sidewalk connection to the Farm and Fleet Parking Lot.
3. The applicant shall provide a sidewalk connection from the north side of the building to the public sidewalk at Hometown Circle.
4. The applicant shall submit a revised photometric plan for review and approval by the Director of Planning and Development.

Motion carried 4-0.

Kevin Yaska, JSD, asked the Commission if there could be an access point exception because of the existing outlet. Mr. Sayre responded that the ordinance says that parking lots cannot be placed between the building and the street in the Downtown Overlay

District. The City has not allowed parking lots in between the building and the street in the past.

Mr. Horsfall stated he would be against the change. Mr. Manley asked why the applicant wanted to reorient the parking lot. Yaska said he there would be greater visibility from East Verona Avenue. Mr. Hochkammer said that he would also like to keep it the way it was originally planned. Mr. Manley added that the parking would still be further back than the existing parking for Dairy Queen. Mr. Manley asked if the Plan Commission had the authority to waive that requirement on a case by case basis. Mr. Sayre said that this situation is different because of the stormwater pond and it would be up to the Plan Commission to interpret the ordinance.

Patrick Fenton, President of Rainbow Childcare Center, also added that if they were able to orient the parking to the south side of the building and shift the building, they would be able to meet the parking space requirement. Mr. Sayre added that there is an access restriction that would make reorientation the building challenging. Mr. Fenton said that if they shift the building to the west, they would have room to work around the access restriction because and the 25 foot setback requirements. Mr. Sayre responded that it would be difficult to work around the setback requirements.

6. Extraterritorial Certified Survey Map to create three (3) lots at 7669 County Highway “PD” in the Town of Verona.

Mr. Sayre presented the staff report. The applicant plans to create an area for a future Town Hall for the Town of Verona and sell the remaining land to Epic Systems Corporation. The CSM was submitted to the City on June 20, 2016. Since it was submitted before the boundary agreement, the review will be based on the City’s extraterritorial land division ordinance. Mr. Sayre added that future land divisions will be reviewed by the Joint City/Town Planning Commission and will not come to the Plan Commission. Since the Town Board is still reviewing the CSM, changes to the CSM will be approved by the Director of Planning and Development.

Mr. Horsfall asked if the Commission Plan Commission could table the CSM and have the Town come back for approval when the CSM was final. Amanda Arnold, Town Administrator/Planner said that the Town is under a time limit as they are planning to sell one lot to Epic and then use that money to help fund the construction of the new Town Hall.

Motion by Horsfall, seconded by Turke, to recommend that Common Council approve an Extraterritorial Certified Curvey Map to create 3 lots at 7669 County Highway PD in the Town of Verona with the following condition:

1. Changes to the CSM can be approved by the Director of Planning and Development.

Motion carried 4-0.

7. Site plan review to allow for the construction of a 4,800 square foot open storage building at 421 South Nine Mound Road and 408 Venture Court.

Mr. Sayre explained Zander Solutions is requesting to build a 4,800 square foot storage building. The City had previously approved outdoor storage on this property in 2015, the only change is that this will be covered storage. Mr. Sayre added there was a concern over the on-street parking on Nine Mound Road at the June Plan Commission Meeting. Zander Solutions’

parking lot has been repaved and the City does not anticipate any future parking problems in the area.

Motion by Manley, seconded by Turke, to waive initial review and approve the site plan review to all for the construction of a 4,800 square foot open storage building at 421 South Nine Mound Road and 408 Venture Court. Motion carried 4-0.

Mr. Horsfall asked what well head protection area was. Mr. Sayre responded that it is set in place so that potential hazardous material would not spill into the City's drinking water. Mr. Horsfall asked what they were storing that could be hazardous. Mr. Sayre said the City's main concern was a diesel tank that needed to be double walled.

8. Initial site plan review and conditional use permit review for a proposed 2,816 square foot restaurant to be located at 110 Keenan Court.

Mr. Sayre stated that the applicant is Gus's Diner. The proposed building meets the setback and height requirements for the Downtown Overlay District. The building will share a parking lot with the existing Pizza Ranch and True Studio. Staff has no concerns about parking. Stormwater management plans were submitted in 2015 when the Pizza Ranch project was approved; the applicant will need to verify these are still accurate. The overall design is consistent with recent projects in the area. The applicant will need to provide additional details for the south elevation.

Mr. Manley commented that he liked the overall design and look of the building. He added that he would like to see the architectural renderings for all four sides of the building.

Mr. Horsfall commented that the design of the building was consistent with the Dairy Queen, but not the Pizza Ranch. He suggested that the applicant try to incorporate elements from both buildings for a better transition. Tim Selimi, owner of Gus's Diner in Sun Prairie, stated that they tried to incorporate more brick into the building to match the surrounding buildings to the west, but to also keep the retro theme of the restaurant. Mr. Horsfall also commented that he would like to see some sort of transition from the flat roofs of the buildings to the west to the pitched roof of the Pizza Ranch.

9. Initial site plan review and conditional use permit review for a proposed 6,000 square foot restaurant with outdoor volleyball courts to be on Lot 28 of Liberty Business Park.

The proposed restaurant would be located on Laser Street, Northeast of Sugar River Pizza. Mr. Sayre explained the project requires site plan approval, a conditional use permit, a zoning text amendment, and the relocation of the previously platted laser street. The proposed patio may need to be moved away from the 25 foot setback area. Staff has no parking concerns. Two access points are planned from Laser Street. The easternmost access point would require the applicant to extend and reconfigure Laser Street. Staff recommends that additional stone would be added to the building to match the existing buildings in the development. The City requires that all fences that contain alcohol must be 48 inches tall. The land use would need a zoning amendment because outdoor entertainment land uses are not allowed in suburban commercial zoned areas. Because the closest residential area is over 1,000 feet away, staff does not have any concerns about the outdoor use.

Mr. Horsfall asked what the tailgate area was. Dean Slaby, KSW construction, responded that it would be an area where people bring their own chairs and watch games on an outdoor screen. There would be a fence enclosing the area.

Mr. Manley said it was a good concept and asked who Liberty Business Corporation would be selling the building to. Mr. Slaby responded saying that they are planning to rent the space to a local business and not a chain restaurant.

Jerry Berquom asked what they could do in the proposed patio area that would not interfere with the setback. Mr. Sayre said he would take a look at the code and see if there could be any exception to the setback.

Mr. Hochkammer asked what future uses would be moving east of the site. Mr. Sayre said they are currently zoned Suburban Industrial. Mr. Sayre said that with the visibility on County Highway M, it is likely that there will be similar types of businesses.

10. Planned Development (PUD) concept plan located south of West Verona Avenue, west of West End Circle, east of Wall Street, and north of the West End Apartments. The proposed PUD would allow for the construction of 15,000 square feet of commercial space, a 32-unit apartment building, and 10-townhouse units.

Mr. Sayre explained that Steven Brown Apartments is requesting the PUD. The property has a long history of proposed projects not being built. The proposed 15,000 square feet of commercial space would be along Verona Avenue. The original GDP included zero lot lines; staff is still comfortable with the zero lot lines to have a consistency with the apartment buildings to the south.

The applicant is proposing 26 underground parking spaces for the 32 unit apartment building and 2 car garages for the town houses. Staff recommends that there be 1 underground park space per unit to be consistent with similar projects. The applicant is proposing 4.13 parking spaces per 1,000 square feet of commercial space. This ratio is less than what the City has previously approved. However, the developer plans to have more walking traffic due to the surrounding apartments and townhouses.

The applicant is planning four access points to the development. Two of those access points already exist Mr. Sayre said that staff has no concerns with the proposed median cut on West End Circle to provide full access, but recommends that northern full access to Wall Street be modified or removed to prevent U-turns.

Mr. Sayre explained that the City began a Residential Development Policy in 2012 to limit new multi-family units to 25-50 new units per year. The proposed development could be exempt from this policy because it is a mixed-use development. However, the City does not have any multi-family units allocated to 2016. Construction of the development has the potential to start in early 2017. If the project moves forward, staff recommends specific conditions as to the phasing of the commercial and residential construction.

Dan Sealy, Director of Development from Steven Brown Apartments, said the retail space on Verona Avenue would be constructed first. That construction would begin in 2017.

Mr. Manley said he thinks it's important to get more retail space on W. Verona Ave. He added that he believes that the City made a mistake in allowing institutional use on Verona Avenue. Mr. Manley said he was not excited about the residential portion of the project. He doesn't believe that the parking is adequate for the project.

Mr. Horsfall agreed with Manley about the parking issues. He added that the potential access points from West End Circle will potentially be a problem with the traffic from the future school. He suggested that the applicant consider access from the south.

Mr. Hochkammer agreed with Mr. Manley saying that he believes Verona Avenue needs more commercial space. However, he said the commercial buildings won't be successful without the residential areas as well. Mr. Hochkammer said he thinks this project will jumpstart development in the West End.

Mr. Horsfall commented that there are already three apartment buildings in the area. He added if residential areas will bring commercial buildings, why it hasn't already happened in that area. He doesn't think it is necessary to add more residential buildings to the area. Mr. Hochkammer responded saying the commercial development will need to occur in a phased approach with the residential.

Mr. Sayre added that the commercial uses that are being proposed are different from what exists on Verona Avenue. He encourages the Plan Commission to look past the history of the project and past developers.

Mr. Manley said that the City does not need more multi-family housing to make the commercial building successful. He added if Epic and the existing neighborhood to the North can't support commercial buildings, how one more apartment building and 10 townhouses are going to make it viable for commercial use. Mr. Sealy responded saying that Steve Brown is interested in the long term investment of the property. Scott Watson of Steve Brown added commercial is needed on Verona Avenue to transition from the future school into the residential area to the South.

11. Certified Survey Map to create one (1) lot and one (1) outlot at 101 North Main Street and 100 East Verona Avenue.

Mr. Sayre explained the request is from the City to approve a CSM for the Matts House. A portion of the property is needed for potential future intersection improvements. The proposed CSM would create lot 1 which will be sold to Mr. Rost and outlot 1 which the City will retain as a future right of way.

Mr. Horsfall asked if outlot 1 would provide enough coverage for a right of way. Mr. Sayre said the 22 feet of the outlot would be wide enough for a right hand turn lane. Mr. Hochkammer added that the City would also be taking some right of way to the South.

Motion by Horsfall, seconded by Turke, to recommend that the Common Council approve a Certified Survey Map to create one lot and one outlot at 101 North Main Street and 100 East Verona Avenue. Motion carried 4-0.

12. Zoning Ordinance amendment relating to commercial animal boarding land uses.

Mr. Sayre explained that the current ordinance, Section 13-1-89(j), isn't clear on outdoor play areas. Staff has made revisions to the ordinance that include: allowing outdoor play areas, restricting outdoor play areas within 300-feet of residentially zoned property and restricting the hours of operation of outdoor play areas from 7:00 a.m.-7:00p.m.

Mr. Manley asked if there are any animal facilities that are currently located within 300 feet of a residential area. Mr. Sayre responded saying that the facility on West Verona Ave would probably be within 300 feet of a residential area. Mr. Manley asked if the City were to rezone an area within 300 feet of a facility as residential, would the animal facility then have to stop using the outdoor areas. Mr. Sayre said no, unless the business stopped operation for a year or more. Mr. Manley asked if the 300 foot rule would apply to hotels because people are staying there overnight. Mr. Sayre said no because they are not zoned as residential.

13. Zoning Ordinance amendment relating to the maximum living space requirements of the Community Residential (CR) Zoning District.

Mr. Sayre explained that dwelling in the CR Zoning District are restricted to a maximum living space of 1,900 square feet excluding the garages and finished basements. Single story dwellings cannot exceed 1,600 square feet on the first floor. Originally, the intent of the Ordinance was to bring entry-level housing into the City. City staff has found that it has created challenges for property owners who want to make improvements on their homes. Mr. Sayre asked the Plan Commission to either eliminate the requirement or define what "living space" in the Ordinance.

Mr. Hochkammer said these property owners would still have to meet the lot line requirements; he would be fine with just eliminating the restriction.

Mr. Horsfall provided a brief history of the discussion of square footage. Around 2001, The City wanted to give people an entryway for people to move into Verona. Limiting the square footage of CR properties allowed for home that varied in size and price.

Mr. Manley said the limit makes no sense and we should let the market decide what kinds of houses people can buy. He added he would be in favor of eliminating the zoning classification or eliminating the square foot limit. Mr. Horsfall responded saying that eliminating the square foot limit will make houses less affordable. The Ordinance provides some variability to the housing market.

14. Reports and comments from the Planning Department

a. Boundary agreement update

The boundary agreement was adopted with the Town of Verona. The ETJ CSMs will no longer come to the Plan Commission.

15. Reports and comments from the Plan Commissioners

Mr. Manley asked for an update on the alignment for Nine Mound Road. Mr. Sayre and Ms. Fischer said they would send that information to the Plan Commission.

16. Adjournment: Motion by Horsfall, seconded by Turke, to adjourn the meeting at 8: 31 p.m. Motion carried 4-0.