

**City of Verona**  
**Minutes**  
**Plan Commission**  
**May 6, 2019**

1. **Call to Order:** Luke Diaz called the meeting to order at 6:30 p.m.
2. **Roll Call:** Mike Bare, Luke Diaz, Sarah Gaskell, Pat Lytle, Scott Manley and Beth Tucker Long were present. Also present: Adam Sayre, Interim City Administrator/Director of Planning and Development; Katherine Holt, Community Development Specialist; City Engineer Jeff Montpas. Steven Heinzen will arrive shortly.
3. **Minutes:** Motion by Bare, seconded by Tucker Long, to approve the April 3, 2019 Plan Commission Minutes. Motion carried 6-0.
4. **Public Hearing – Conditional Use Permit to allow an Indoor Commercial Entertainment land use, known as Icki Sticki, to be located at 103 South Main Street.**

Motion by Diaz, seconded by Manley, to open the public hearing at 6:32 p.m. Motion carried 6-0.

Eric Poole, 104 S. Franklin Street, Verona, spoke regarding his concern about rodents in the dumpsters behind 103 South Main Street, as well as headlights shining into the neighborhood from vehicles pulling into and out of that property.

6:33 p.m. – Steven Heinzen now present.

Motion by Tucker Long, seconded by Lytle, to close the public hearing at 6:34 p.m. Motion carried 7-0.

- a. **Discussion and Possible Action – Conditional Use Permit to allow an Indoor Commercial Entertainment land use, known as Icki Sticki, to be located at 103 South Main Street.**

Katherine Holt presented the staff report. The Applicant is requesting approval to operate an ice cream, shaved ice, and coffee shop. The shop would occupy the space that currently houses Verona Liquor. The existing building design and landscaping will not change, and there are no parking concerns.

Diaz asked if there is anything that can be done to remedy the dumpster problems behind the building and headlights shining into adjacent properties.

Sayre replied that it looks as though some of the landscaping screen behind the dumpsters has been removed. The Commission could add a condition to the Conditional Use Permit requiring a landscaping screen between the dumpsters and the homes on Franklin Street. The City can also have a conversation with the property owner regarding keeping the dumpster area clean. Regarding the headlights, replacing some of the arborvitae that were removed from the landscaping screen may help with this issue, as well, though it will take some time for the trees to grow to a beneficial height.

Discussion followed regarding screening options behind the dumpster area, and whether or not a condition should be placed on the Conditional Use Permit.

Motion by Gaskell, seconded by Manley, to recommend to the Common Council to approve a Conditional Use Permit to allow an Indoor Commercial Entertainment land use, known as Icki Sticki, to be located at 103 South Main Street.

Tucker Long asked if the City can require additional screening at a later date if screening is not made a condition of the permit tonight.

Sayre replied that Staff will be in contact with the property owner tomorrow to have a conversation about the screening. Staff will have a definite answer from the property owner before this item goes before the Common Council on May 13<sup>th</sup>.

Motion carried 7-0.

**5. Public Hearing – Conditional Use Permit for a “group development” located at 507 Bruce Street that would allow for the construction of a 7,000 square foot building.**

Motion by Diaz, seconded by Lytle, to open the public hearing at 6:48 p.m. Motion carried 7-0.

There were no comments from the public.

Motion by Manley, seconded by Heinzen, to close the public hearing at 6:49 p.m. Motion carried 7-0.

**a. Discussion and Possible Action – Conditional Use Permit for a “group development” located at 505-507 Bruce Street that would allow for the construction of a 7,000 square foot building.**

Holt presented the staff report. The Applicant is requesting a Conditional Use Permit, Site Plan review and Certified Survey Map to construct a 7,000 square foot building at 505-507 Bruce Street. An 8,200 square foot building housing Rocket Bicycle Studio, SBR Endurance Performance, and n+1 Coffee and Beer are currently located on the property.

The Applicant has provided 56 parking spaces on the property. The 8,200 square foot building in place at this time requires 28 parking spaces. An additional 7,000 square foot building would require 24 more spaces. Staff is comfortable with the proposed parking at this time, but additional review will be necessary once tenants are known.

This property is located within a floodplain. The Applicant is aware of the requirement that the building be built two feet above the floodplain elevation, as well as other floodplain requirements.

The proposed building is a pre-engineered one-story building with moss green lap-siding. Windows are provided on the front and back of the building, and the sides of the building have garage doors. Staff is requesting feedback from the Commission regarding siding color options.

The Applicant is also requesting a Certified Survey Map consolidating the two lots on the property into one lot. Staff supports the proposed CSM.

Gaskell asked where stormwater will be directed.

Sayre replied the Applicant is providing a pipe between the existing building and the proposed building to direct stormwater to the existing stormwater pond to the east of the property.

Lytle asked if the type of tenants for the new building should be known before a decision is made on the number of parking spaces that will be required.

Sayre stated there is potentially space for three tenants in the proposed building. A building contractor may lease the east portion of the building, which would require only enough spaces for employees. They are also targeting fitness type businesses. Staff

believes that parking is sufficient for the proposed tenants, but additional conversations will be required if building uses change.

Lytle believes that n+1 Coffee and Beer is a good addition to the neighborhood, but is concerned about the combination of children crossing Bruce Street to get to the restaurant, and large contractor equipment coming and going from the adjacent property.

Sayre replied it could be a concern, but typically the equipment is taken out in the morning and brought back at night. There will be a sidewalk on the west side of Bruce Street as part of the Fireman's Park update project. He is not particularly concerned about construction equipment on Bruce Street.

Motion by Gaskell, seconded by Manley, to recommend to the Common Council to approve a Conditional Use Permit for a "group development" located at 505-507 Bruce Street that would allow for the construction of a 7,000 square foot building, with the following conditions:

- a. The elevation of the lowest floor shall be at least two (2) feet above the floodplain elevation on fill. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. (Should they wish to pursue any future Letter of Map Revision Based on Fill (LOMR-F), any fill brought on site should follow FEMA Technical Bulletin 10-01 for fill placement.)
- b. The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to two (2) feet above the floodplain elevation. No basement or crawlway floor is allowed below the regional flood elevation.
- c. Contiguous dryland access shall be provided from a structure to land outside of the floodplain.
- d. Provide existing contours and/or spot grades on the Property and a fifty (50) foot offset from the property line for review and approval to show that existing drainage will be accommodated by the Applicant
- e. Placement or modification of utility structures shall be at or above floodplain elevation or floodproofed accordingly.

Motion carried 7-0.

**b. Discussion and Possible Action – Site plan review to allow for the construction of a 7,000 square foot building at 505-507 Bruce Street.**

Motion by Bare, seconded by Lytle, to approve a site plan review to allow for the construction of a 7,000 square foot building at 505-507 Bruce Street. Motion carried 7-0.

**c. Discussion and Possible Action – Certified Survey Map to create one (1) lot at 505-507 Bruce Street.**

Motion by Tucker Long, seconded by Manley, to recommend to the Common Council to approve a Certified Survey Map to create one (1) lot at 505-507 Bruce Street. Motion carried 7-0.

**6. Discussion and Possible Action – Certified Survey Map to create one (1) lot at 841/857 North Main Street.**

Holt presented the staff report. The Applicant is requesting a CSM to create one 3.119 acre lot at 841/857 North Main Street to be used for a senior living facility, and dedicate 14,184 square feet of land to the City of Verona for right-of-way purposes. The CSM was a condition of the

Plan Commission and Common Council's approval of the site plan and Conditional Use Permit for this property.

Motion by Tucker Long, seconded by Gaskell, to recommend to the Common Council to approve a Certified Survey Map to create one (1) lot at 841/857 North Main Street. Motion carried 7-0.

**7. Discussion and Possible Action – Preliminary plat for Whispering Coves to create 244 lots located west of County Highway M and south of County Highway PD.**

Sayre presented the staff report. This property is approximately 200 acres bounded on the east by CTH M, on the north by CTH PD, on the west by the mining pit, and on the south by the Town of Verona. An initial review of the project came before the Commission in January 2018. At that time, there was concern by the Commission regarding the ratio of multi-family and single-family housing, the closed drainage basin, street width, parkland designations, including a school site in the plan, and constructing villas in the development. In February 2019, a preliminary plat was presented to the Commission. Comments included parking for the nature conservancy, adding villas to the plat, and a preference for active recreational areas.

The proposal is for 222 lots. The plan includes multi-family and commercial use along CTH M, an area for condos or villa-type residences, a school site further to the south, some changes to the walking path, and standard size residential lots ranging from 8,841 to 35,000 square feet. Zoning would occur at the time of the final plat.

The minimum street frontage requirement of 50 feet has been met. The Applicant is expected to request a side yard setback exemption to allow an 8-foot setback instead of a 10-foot setback.

The Applicant has been working with the Endres and Dreger properties to provide access to the property at CTH M. Access would also be provided at CTH PD and at the existing road stubs at Hemlock and Tamarack to the south. Staff believe that true north-south and east-west roads through the development will be achieved, and have no concerns with connectivity.

The number of cul-de-sacs has been reduced from twelve to three, and sidewalks have been added on both sides of the streets. The Applicant is requesting parkland dedication for the cul-de-sac bulbs, the linear park, and the nature conservancy.

The Applicant has removed all except one of the large retaining walls that were planned on the plat. That retaining wall will have to be removed, as well. Streets include 8-foot terraces, 5-foot sidewalks, and roadways of 32 feet. The street named Thrasher Run may have to be made wider if a school does locate in the development. Staff recommends that the Commission recommend to the Common Council to approve the preliminary plat, with conditions.

Tucker-Long stated it looks like the water retention on the property has decreased.

Sayre replied it has not decreased, but the way it is being shown visually on the maps has changed. They will still meet the back-to-back 100-year rainfall requirement.

Manley asked if the proposed 12.4 acres for the elementary school site will be large enough, and where the main connection to the school site from the neighborhood will be.

Sayre replied that the size meets the minimum requirement. The main connection to the neighborhood will likely be to the south.

Manley asked if Stony Ridge Way could be extended to the school site.

Ron Henshue, Forward Development Group, replied that the basis for the layout and direction of Stony Ridge Way is to create a north-south movement through the property from North Neighborhood to CTH PD.

Lytle asked what the vision is for the natural conservancy park.

Sayre replied a boardwalk is a possibility for the conservancy park. The Applicant is working on those details.

Lytle thinks some good improvements have been made in the plan, but he would like to see more space for recreation.

Gaskell asked about the topography where the trail roundabout is located.

Jessica Vaughn, JSD Professional Services, replied that more details about the amenities for the parks are forthcoming. The trail roundabout will not have a lot of grade, and will drain toward the pond.

Gaskell stated where the trails converge in the middle would be a good area to create some green space.

Bare continues to have concerns about the lack of parkland space. He would like to see the cul-de-sac parklands removed altogether.

Gaskell would like to see more public frontage to the park, to make it welcoming as public parks versus a private park accessible only to those whose property abuts it.

Manley believes that reconfiguring the trails to create more green space is a good idea. He would like to see a larger park area connecting to or part of the school site.

Bare asked if an additional condition can be added to increase green space in the center of the development where the trails converge.

Heinzen asked what percentage of the green space is contained in the conservancy area.

Vaughan replied approximately 9-acres is contained in the conservancy area, a quarter acre in the cul-de-sacs, and the rest of the 19.3 acres dedicated to parkland are in the linear park.

Gaskell would like to see more detailed graphics regarding the parkland, so the Commission is clear about the actual sizes and possible uses.

Lytle asked if a condition regarding the amount of parkland should be added to the preliminary plat approval, or if that is something that can be done at a later date.

Sayre replied that it is clear from the discussions that the Commission is having that the members are all looking for more parkland in this development, and want to know what the parkland is going to look like and what the spaces can be used for. The Applicant understands the expectation of the Plan Commission.

Heinzen believes the Commission needs more information about the parkland before adding additional conditions.

Diaz would like verification in the developer's agreement that the conservancy area would be a true nature conservancy including natural wetland plants, shrub thicket, etc. He is supportive of an 8-foot side yard setback.

Gaskell asked the Applicant to work on the parkland issue and bring a plan back to the Commission next time, in an effort to alleviate some of the Commissioners' concerns.

Bare asked the Applicant to not only move the trails, but to increase green space significantly by giving up several building lots. He would also like the Applicant to commit to presenting a detailed park plan the next time this comes before the Commission.

Henshue stated the trail system design is not necessarily exactly as is shown on the plan. A detailed landscaping plan is coming forward. We are trying to create an integrated community. Parks systems work well for that. There are over 13,500 lineal feet of park system and trails in this plan. It is a larger system than it looks like on the plan.

Bare asked if Henshue can commit to a larger green space in the center and removing the cul-de-sacs from the parkland dedication request.

Henshue replied the cul-de-sacs integrate the neighborhood. These are large areas, big enough for seating areas and concerts in the park, etc. He would like the Commission to wait until they see the parklands designs before making a decision about the cul-de-sac parks.

Motion by Lytle, seconded by Diaz, to recommend to the Common Council to approve a preliminary plat for Whispering Coves to create 244 lots located west of County Highway M and south of County Highway PD, with the following conditions:

- a. A north-south road shall be included on the final plat through the Midthun property connecting the Endres property on the north to the Backus property on the south.
- b. The City, North Neighborhood, LLC, and Midthun Property Hwy M, LLC shall execute a development agreement.
- c. Prior to final plat approval, land shall be dedicated and annexed for the northern half of the east/west road identified on the preliminary plat as Stony Ridge Way.
- d. Prior to final plat approval, a road agreement shall be executed with North Neighborhood, LLC, Midthun Property Hwy M, LLC, Gerald and Linda Endres, and Dreger Rev. Tr., Dorothy L for the construction of the east/west road, and utilities, identified on the preliminary plat as Stony Ridge Way.

Lytle re-enforced what Commissioner Bare stated and the Applicant is on notice to review Commissioner Bare's comments regarding parklands.

Tucker Long stated she would also like to see athletic fields, park shelters, and different types and sizes of parks in the area, as well as better access to the parks.

Motion carried 7-0.

**8. Discussion and Possible Action – Initial review for a proposed 8,300 square foot Kwik Trip store that would include a 1-bay car wash and 6-fuel pump islands to be located at the northeast corner of West End Circle and Wildcat Way.**

Sayre explained that Kwik Trip is applying to build a gas station, convenience store and car wash. The property is part of the downtown overlay district and is zoned commercial. It is bounded on the south by Wildcat Way, West End Circle on the west, and Half Mile Road on the north. The Applicant has positioned the convenience store building to conform to the requirement that overhead canopies must be located in the side or rear yards and may not be closer to Verona Avenue than the convenience store building.

Two access points from Wildcat Way and one access point from West End Circle are planned. Bicycle and pedestrian access will also be provided. Staff is comfortable with the number of parking spaces provided by the Applicant. There is some concern regarding allowing enough room for a tanker truck to fill the tanks without blocking the right-in/right-out access point to

Wildcat Way. The carwash meets the required stacking distance of forty (40) feet. A stormwater pond is proposed near the carwash.

The building will be constructed of high quality materials, such as brick and stucco. Staff has suggested more windows on the side of the convenience store building that faces West End Circle, and some false windows on the back side of the car wash building. Staff also recommends wrapping the fuel pump canopy posts to the top of the canopy with brick.

Staff is generally supportive of the development of this property as a gas station, convenience store and car wash. There is not currently this type of land use on the west side of Verona.

Gaskell asked about traffic control at the intersection of West End Circle and Wildcat Way.

Sayre replied it is currently being planned as stop sign controlled, but is being plumbed so traffic signals could be installed there in the future, if necessary.

Gaskell is concerned about the number of high school students that will be going to Kwik Trip for lunch without the protection of traffic signals at the corner.

Diaz would like to see aggressive landscaping around the stormwater pond. He asked what guarantees we have should the gas tanks leak at some time.

Troy Mleziva, Kwik Trip, stated this facility would have a double-walled fiberglass and steel tanks, a computer monitor inside the store, and a 24-7 monitor back to the corporate center in LaCrosse.

Heinzen believes a gas station is needed on the west side of town. He does not think this is the best place for a gas station, particularly right in front of a \$150 million school.

Manley is excited to see a gas station going in on the west side of the city. He thinks this is a good spot for it, and that it will be very busy. He does not think it will be tall enough to block the view of the high school, and believes it will nicely blend in with other development in the area.

Gaskell asked for a timeline for construction.

Mleziva replied they are hoping to have permits and bidding completed by spring, and be ready to open by the time the new school opens in the fall of 2020.

Gaskell asked Mleziva to consider branding the building somehow to tie it in with the high school.

Tucker Long questioned why the last gas station on the west side of the city closed, and why it has taken so long to bring a new one to the west side.

Sayre replied that the old gas station was part of a truck stop that operated when the highway ran through the City. It is a contaminated property, as well, which makes it more difficult to develop.

**9. Discussion – Initial concept review for a proposed development located at 6878 – 6880 County Highway M that would contain 14 twin-homes and 5-condominium units.**

Terese Hansen, representing Lois Gust, the owner of this property, stated that Mrs. Gust and her husband donated the land for the easement for the Ice Age National Scenic Trail (“Trail”). Gust and Hanson have some concerns with the five condominiums proposed for the west side of the property. The Ice Age Trail Alliance has requested a setback of 25-40 feet from the Trail. It seems such a setback would make it nearly impossible to build the condominiums where the developer is proposing for them to be built. Hansen believes that Gust is being penalized for

her generosity if building is not allowed in that area due to the Trail. She asked the Commission to consider the possibility of the same thing happening to other landowners in the future.

Sayre explained that a house and various farm structures currently sit on this property. The property is currently in the Town of Verona. The twin homes would be adjacent to Hwy 18/151, Tower Park, and the Hawthorne Hills Neighborhood. The site abuts the Trail. Staff believes the duplex and condominium use is an appropriate land use for this area. Access would be from CTH M, which is a Dane County highway.

Staff is concerned about the buildability of the condominiums. Both the setback requirements for the Trail, and the slope of the land in this area are of concern. Staff's suggestion is to consider part of that section of the development for parkland dedication to achieve the 25-40 foot buffer next to the Trail.

Staff and the Applicant are asking the Commission for feedback regarding the use of private roads in the development, and whether or not there is support for constructing condominiums on the western part of the development adjacent to the Trail.

Bare asked if the slope of the property would prevent it from being useful as parkland.

Sayre replied the parkland would be used for trail purposes.

Gaskell does not support private roads in new developments. Regarding the Trail, we have been very conscious as a City to preserve the Trail, and we should continue to do so. It is unfortunate for the landowner, but it would seem an easy solution to put a buffer around the Trail and call it dedicated parkland.

Lytle stated this property is in his neighborhood. He does not believe that removing any of the units in the development would be required. Most people that he has spoken to in the neighborhood are happy to see this area developed. The City trail that connects Whalen Pond and Tower Park runs parallel to this section of the Trail has not been maintained in this area, and is difficult to get through. We should not just be adding amenities, but should be keeping up the amenities that we have. He wonders if there is a middle ground to take between adding five condominium units versus eliminating all of the units.

Tucker Long asked if underground parking could be used for the condominium units, eliminating the need for the drive behind the condominiums, and creating more room for the Trail easement.

Sayre replied that there would likely be a fire protection issue if an underground entrance were located at one end of the building, with no roadways leading to the rest of the building.

Manley thinks that this would be a nice development for this part of the City. It is not a good idea to place such a restriction on the development of this property that the financing of the project would not work. He suggested that the City donate a small amount of its land located to the east of this property, so the entire project could move to the east.

Diaz does not support private roads. He would like to see a buffer for the Trail, and supports Staff's recommendation to remove the condominiums from the plan and dedicate that area as parkland in lieu of fees.

Lytle likes the idea of a land swap with the City to shift the condominiums closer to the access road to the water tower. Some existing mature trees could then be preserved, as well as a larger buffer for the Trail.

Sayre replied that a land swap conversation is premature, as the land is not in the City at this time, and no final plans have been laid. There would also be additional costs involved.

**10. Discussion – Initial concept review for a proposed development located at the southeast corner of Range Trail and County Highway M that would contain 133-single-family homes, 20-twin house units, and 100-multi-family units.**

Brian Munson representing Vandewalle & Associates addressed the Commission regarding this proposed development, which would be an addition to the Cathedral Point subdivision. A variety of housing types and styles is proposed for this development, with varying price points. A five to seven year buildout is anticipated. The goal is to begin construction in the spring of 2020.

Sayre presented the Staff report. The Cathedral Point subdivision and the future Public Works facility property is to the west of this property, and the Ice Age National Scenic Trail property borders the east.

Three of the access points line up with access points into Cathedral Point, and the Applicant is working to line up the northern-most access point with the access point to the future Public Works facility property. The alleys in the development would have to be discussed further regarding whether they would be public or private roadways. The Applicant is requesting a five (5)-foot side yard setback exemption. The ordinance requirement is six (6) feet for one-story homes and eight (8) feet for two-story homes.

There are several things to consider regarding the property's proximity to the Trail.

Gaskell does not like the idea of a 5-foot side yard setback. The individual lots should have enough space to allow the children of young families to play in their own yards. Some intentional park space should be included in the northern and southern areas of the development. She likes the alleys, but there will have to be a conversation at some point about whether they will be public or private. She likes the location of the development.

Lytle asked if there is a possibility of signaling the intersection of Range Trail and CTH M due to the increase in traffic on Range Trail that will be created by this development.

Sayre stated that is something Staff could discuss. There are probably some intersection improvements that would have to take place first.

Lytle believes an 8-foot side yard setback is appropriate for this development. He likes the general layout, but he would like to see more green space.

Diaz asked if it would be possible to create an alley standard for the City.

Sayre replied the code calls for alleyways to be no less than 24 feet in width. It allows alleys, but goes on to say that alleys are not meant to be used everywhere.

Diaz would not be opposed to the 5-foot side yard exemption. He likes the buffer between the development and the Trail. He likes the alley and twin-house concepts, and would like to see more of them in this development.

Bare agrees that the side yard setbacks should be 8 feet. The green space seems to be inaccessible to some parts of the development. He would like to see more green space opened up for play areas.

**11. Reports and comments from the Planning Department**

- a. Zoning and Sign Ordinance Rewrite – Update**
- b. Update on development projects.**

**12. Reports and comments from the Plan Commissioners**

None

**13. Adjournment**

Motion by Gaskell, seconded by Bare, to adjourn at 8:51 p.m. Motion carried 7-0.