

City of Verona  
Minutes  
Plan Commission  
July 2, 2018

1. **Call to Order:** Luke Diaz called the meeting to order at 6:30 p.m.
2. **Roll Call:** Luke Diaz, Sarah Gaskell, Scott Manley, Steven Heinzen, and Beth Tucker Long were present. Also present: Adam Sayre, Director of Planning and Development; Katherine Holt, Community Development Specialist; Jeff Mikorski, City Administrator; Jess Billmeyer, AECOM; and Theran Jacobson, Director of Public Works. Mike Bare and Pat Lytle were absent and excused.
3. **Minutes:** Motion by Manley, seconded by Gaskell, to approve the June 4, 2018 Plan Commission Minutes. Motion carried 5-0.
4. **Discussion & Possible Action – Planned Unit Development (PUD) concept plan review for a proposed 28,849 square foot commercial development to be located in the West End south of West Verona Avenue, west of West End Circle, and east of Wall Street.**

The Applicant is requesting a Planned Unit Development (PUD) concept plan review (“Application”) to develop approximately 3.6-acres located south of West Verona Avenue, east of Wall Street, north of Stephen Way, and west of West End Circle (“Property”), which is zoned Suburban Commercial with a PUD overlay. The Property is within the Downtown Design and Use overlay district and is currently vacant. Land uses surrounding the Property include apartments and the future high school to the south, West Verona Avenue to the north and vacant land to the west and the east.

The West End has a long history. The general development plan (GDP) for this project was approved in 2007 and amended in 2011. The 2011 amendment was necessary to allow the construction of the three (3) apartment buildings located immediately north of West End Circle. Construction of the three (3) previously approved apartment buildings were completed in 2013 and are owned by Steve Brown Apartments.

In 2009, a precise implementation plan (PIP) was approved for a UW Credit Union at the southwest corner of Verona Avenue and West End Circle. The credit union project did not move forward and ultimately Steve Brown Apartments purchased the property.

In 2013, the City received a request to construct a 40-unit apartment building with 2,100 square feet of commercial space along West End Circle. Ultimately the 2013 project never moved forward and the land for this project was sold to the Verona Area School District on 2015 as part of District’s overall purchase.

In 2016, a GDP was approved in September followed by a PIP approval in November to construct a 29-unit apartment building, eight (8) townhouses, and 15,200 square feet of commercial space. The 2016 project was never constructed.

The proposed Steve Brown Apartments development requires a PUD.

The proposed development contains three buildings that would be flush to West Verona Avenue and a secondary building just south of the others. The building would require setback exemptions. They will need an exemption for the C4 building to put a drive-through in. Staff is comfortable with this drive-through location. It will be located between the building and West End Circle.

As far as parking, there will be 142 parking spaces and Staff is comfortable with the proposed parking. The applicant is proposing 4 access points; an enter-only entrance off of West End Circle, two access points on Stephen Way, and a right-in/right-out configuration from Wall Street. This configuration was included in the traffic impact analysis (TIA) of the High School, and Staff has no concerns.

The applicants are proposing to use high quality materials to complement the apartments and provide a strong retail presence. Staff has no concerns about the proposed materials. The applicant may be looking at some signage exemptions.

In general, Staff is supportive of the changes from what was initially presented and believes it is a good use for the area.

Ms. Gaskell asked if we are reconfiguring West End Circle.

Mr. Sayre answered that yes, that is the case. This will be part of the improvements that the school will be making as it redoes the roads.

Dan Seeley with Steve Brown Apartments stated that Findorff had already put in the curb cut to help with traffic while the high school is constructed. He stated that they are also planning on constructing the project in the same construction schedule as the school.

Ms. Gaskell asked if there was any idea of what the drive-through business is going to be.

Mr. Seeley said that they are hoping for a coffee shop, and have been in touch with a couple of regional and local businesses about that location. They definitely do not want fast food.

Ms. Gaskell asked Mr. Sayre what the parking minimum is for this.

Mr. Sayre responded that we do not calculate that for a planned development with multi-tenant buildings. Typically when it is retail, office, or professional use it is 1 space per 300 square feet. If it is a restaurant use, it comes down to the number of seats they would have. We have not calculated that, since we do not know who the users are.

Ms. Gaskell is wondering if we could somehow include some creative storm water treatments that are not large ponds.

Mr. Sayre responded that we already have a retention pond built at this site, but that is something we could look at for other sites.

Ms. Tucker Long asked if underground parking had been considered.

Mr. Seeley replied that they did not look into it with this project. They had looked at it when they were thinking about putting apartments there, and they were running into bedrock issues. Due to that, some of the cost of excavating was a little surprising.

Mr. Manley is happy with the quality of the information and having three dimensional pictures is very helpful. It looks like a destination place, and the applicant has a great project.

Ms. Gaskell really appreciates the attention the applicant paid to the pedestrian walkways. Ms. Gaskell then asked if they have taken into account outdoor seating areas for restaurants that might go in.

Mr. Seeley answered that they do have some areas already planned out for that, but that there is not a lot of space to add more.

Mr. Heinzen agreed with everyone else that he is happy to see commercial coming back to this spot. Mr. Heinzen wondered how the setback of the buildings will affect the sidewalk that is already there on West Verona Avenue.

Mr. Sayre answered that the building would be about 10 feet away from existing sidewalks.

Mr. Diaz stated that he agrees with Ms. Gaskell about liking the walking areas being clearly planned out and he too would like to look at storm water options in the future. Mr. Diaz also likes the trees that are on the landscape plans, the design, and amount of parking. He is also fine with the signage.

Ms. Tucker Long suggested that the applicant consider using some evergreen trees to make sure that there is green all year around.

Ms. Gaskell asked if this would be built in phases.

Mr. Seeley replied that this would be a single delivery.

**5. Discussion & Possible Action – Initial site plan review for a proposed 5,112 square foot UW Credit Union to be located at 651 Hometown Circle.**

The Applicant has submitted a request for an initial review to allow for the construction a financial institution (UW Credit Union) at 651 Hometown Circle (“Property”). The Property is zoned Suburban Commercial (SC) and is located within the Downtown Design and Use Overlay District and contains a Planned Development Unit (PUD) overlay zone due to the Farm and Fleet monument sign. The site presently contains an empty commercial building that previously housed Dairy Queen and will be demolished as part of the development process. The proposed redevelopment requires site plan approval and a conditional use permit.

The Applicant is requesting feedback from Staff and the Plan Commission regarding their request.

There would be two access points onto Hometown Circle, 29 parking spaces and 3 drive-through lanes. They would also close the access to Taco Bell due to the drive-through configuration. Staff has no concerns about the access.

The materials used will be a mix of stone, brick, metal, and glass.

Mr. Manley asked if this building would be built to a true north to south angle or angled to line with East Verona Avenue.

Mr. Sayre replied that it would be orientated to East Verona Avenue.

Mr. Heinzen thinks that the building looks very nice.

Mr. Diaz stated that he likes the look of the building and would like to see some evergreens around the back.

Ms. Gaskell asked if Staff was concerned about the landscape island being right in the middle of the pavement.

Mr. Sayre replied that Staff is not too concerned about the feature and in general thinks it is an interesting configuration, but are glad it’s planned since it breaks up the pavement.

Ms. Gaskell asked if it would be possible to move the bike parking closer to East Verona Avenue.

Mr. Sayre said that should be possible.

**6. Discussion & Possible Action – Initial review for a proposed subdivision to create 21-single-family lots and a parcel for the future Public Works facility to be located west of Range Trail and north of East Chapel Royal Drive.**

The City and the Applicant are jointly in the process of acquiring the Purple Cow property located at 2159 Range Trail (Property). Veridian Homes is proposing to purchase part of the

property, and reconfigure existing lots in Cathedral Point to allow for the construction of single-family homes. The remaining portion of the Purple Cow property will be used to construct a new Public Works facility. The Property is zoned Commercial (C-2) within the Town of Verona. The site presently contains buildings used for storage and two (2) billboards.

The proposed redevelopment requires annexation, zoning map amendment, road vacation, and site plan approval. Vacant portions of the Cathedral Point subdivision will be replatted as part of this development. Those vacant portions are presently zoned Neighborhood Residential (NR) and Urban Residential (UR). As part of the development process, the Applicant will rezone all the lands to allow for single-family home construction.

The site would have 21 single family lots. Some of the lots will be neighborhood residential and community residential.

There are two pieces to this development. One portion includes Veridian with the single family homes and the City portion with the Public Works facility.

Site and building design for the Public Works facility has not been engineered. It will need to be high quality due to the fact that it is adjacent to residential area and visible from 18/151.

Tentatively the City and developer are working on purchasing the land at the end of 2018. The applicant for the residential lots would like to start grading the lots at the end of 2018. The timing of the Public Works facility will depend on the Council and when everything gets voted through, but the target is 2021-2023.

This is just the initial review.

Ms. Tucker Long asked how big the lots are for the single family homes.

Brian Munson, with Vandewalle & Associates on behalf of Veridian Homes, answered that they have not gotten down to the final configurations yet. They are still working through the first stages. Roughly, they are about 12,000 square feet.

Mr. Heinzen asked if having the public works building going behind the houses would affect the sales of the houses.

Mr. Munson replied that it will not affect buyers because they will be very up front with them about it.

Mr. Manley stated that he likes that there are single family lots. He also wondered if putting the public works building there is a good idea versus more single family homes, if it is a good idea to put a land waste drop off there, and why there are two storm water ponds happening across the street from each other.

Mr. Munson answered that the Purple Cow has been using that land as a compost site, so the area wouldn't be much different.

Dan Day, with D'Onofrio Kottke and Associates, stated that the water retention pond is already there. As far as use, Mr. Day said that this is a very delicate balance between the City and residential areas. The only way they were able to put single family housing in this area is by joining with the City, as it is too costly to build all single family.

Mr. Manly asked if a City owned facility is the best use for this land if the value of the property is so significant that it is not feasible to use it for single family homes.

Ms. Gaskell stated that the Director of Public Works hired someone whose expertise is land use and agrees that the current Public Works building is too small. In the study, there were four sites

evaluated and this is the only area that fits all the criteria and gives us the opportunity to partner with someone to bring some of the cost down.

Theran Jacobson, Public Works Director, stated that the study that Ms. Gaskell is referring to was done in 2017. There were three sites that were looked at for location, size, structure, utilities, site access, and proximity to the residents. The three properties that were looked at were the Purple Cow site, the site across the street from that to the east, and the Matt's property between Bruce Street and Badger Mill Creek. The Purple Cow property had every checkmark. The other ones had different issues that would not make it work. The hardest component is the size. We would need about 15-20 acres in size as well as a somewhat common grade. Regarding the compost and brush on-site, that would be moved to the east pit along Northern Lights. Site configuration will be determined on a future date. We are all trying to do everything we can to make this beneficial for everyone. Mr. Jacobson approached Veridian regarding the potential for a partnership. Originally, Veridian was proposing 13 lots and they were able to propose 21 lots.

Mr. Heinzen asked how big the current Public Works area is.

Mr. Jacobson replied that, if you add in the area that VACT is on, it is seven acres. The concern is that it is seven acres that is not contiguous land.

Ms. Gaskell asked if the property lines are conceptual on the presented map.

Mr. Jacobson replied that it is pretty close to what it will be. There will be a bump out for the property near the storm water pond due to a sanitary sewer that runs right through there which makes the land unbuildable.

Ms. Tucker Long asked if the housing for Lot 3 had been looked at to be multi-family instead of single family.

Mr. Munson explained that the lot has been for sale in the beginning of Cathedral Point with very little interest in multi-family housing due to a couple of different factors; location, value, and the density that would be allowed. We have been working on switching that from multi-family to single family for the last few years just because there has not been a market for that.

Mr. Manly asked why it looks like only about half of the site would be utilized, and why there is a need for a site this big. He also asked what will happen with the existing site.

Mr. Jacobson replied that the plans for the current property would be a full vacation. What will happen to the site is still being discussed. As for the new site, it does look like we are only using half but that will change with topography and use. We will look at turning movements throughout the site and also have expandability. That is why we want to make sure we have an area large enough. Currently the ideal need is 12 acres, but as we need to expand, more acres will be needed. We want to set this site up so, as needed, we can push out of one end of the building. The berms will also take up some space, as well as utilities.

Mr. Manly asked if there has there been any consideration to the property off of Northern Lights (quarry).

Mr. Jacobson stated that the amount of fill that would be needed in there would take decades or a significant amount of money. There are also no utilities out there.

Mr. Manley asked if we are decades away from having recreational use, such as trails, out there as well then.

Mr. Jacobson replied that they are getting close to paved trails.

Mr. Diaz would like to emphasize to anyone looking at purchasing one of those homes that the Public Works facility will be right there. He also likes the number of lots that are there, but believes 25 lots would be better.

## **7. Discussion – Zoning Ordinance amendments**

### **a. Residential setback requirements**

#### Pavement Setbacks

Typical residential areas have a setback that was previously approved for a 3-foot setback from the rear and sides of the property. It also has a 10-foot setback from the front. Staff is comfortable with these setbacks, but there are some inconsistencies that need to be cleaned up. One thing to consider is the non-residential standards have a 5-foot setback. We may want to have a conversation, as a larger setback may be necessary to get landscaping.

#### Rear Setbacks

The area behind the building, which is the rear, has to be at least 20'-25'. Most properties within the city are within 25'-40'. Other municipalities in the area range from 20'-25'. If the Plan Commission desired to make any changes, you could potentially change the setback to 15'-20'. The rear is typically what is most valuable to most people.

As far as changes with this, Staff are indifferent. If you are going to make changes, the rear would be the best option.

Mr. Sayre asked if there were any feelings towards modifying the current 25' setback to something that is smaller.

Mr. Diaz asked if we are only talking about requirements. So if a developer wanted to make it larger, then they could.

Mr. Sayre stated that is correct. They are only talking about the minimum.

Mr. Heinzen asked if anyone is concerned about what the requirement is right now. That may be a reason we look at this.

Mr. Sayre replied that he has not heard of anyone asking about the rear setback.

Mr. Heinzen stated that his default would be to not change any of the setbacks unless there is a definite reason as to why we should. And that could be because of a couple of things; they could come to the city about side setbacks, or if in conversations with other communities we find out that it has been a problem and we want to get ahead of the curve.

Ms. Tucker Long asked what the benefit is in changing this.

Mr. Sayre answered that you will potentially get more land usage due to smaller lot sizes.

Ms. Gaskell wonders if we have shorter setbacks, if more houses will have water problems because there will be less space for the water to go.

Mr. Sayre replied that he does not believe that will be the case since the areas that have those issues are older and did not have the same regulation for water drainage that we do now.

Ms. Gaskell states that this is something that we need to look at since it has not been looked at in years.

Mr. Jacobson said that it was 2 years ago when the last storm rainfall depths and intensities was looked at. The issues that we are seeing in some of these older buildings are where the foundation is and how narrow the site is next to the neighbors.

Mr. Manly wants Staff to think about fire safety when talking about side yards.

Mr. Diaz thinks that we get an advantage when we have flexibility in our ordinances, especially with affordable housing.

Ms. Tucker Long asked if we don't change the ordinance and a new development came in, would it work better for the houses to have a 15' rear setback versus a 20' rear setback. Could we make an exception for that?

Mr. Sayre replied that you would not want to do that on a case by case basis, but if it was the overall plan, then you could do that. Developers do not like the planned unit development process as it takes longer and takes away certainty.

#### Side Setbacks

The average for side setbacks is between 6' and 10'. This does not seem to be an issue but we do need to check what fire code is.

#### Front Yard Setbacks

This is the one that we have heard the most comments on from developers wanting to reduce the front yard setback. Within the City, there is a 25' setback. Other municipalities have a 20' – 25' setback, and some allow encroachment in the setback for porches.

Mr. Sayre said that the one comment he would make is that if you are looking at changing the front yard setback, you need to make sure the garage is set back 25'. The reason for that is if you put the garage at 20', typically you have cars parked in the driveway which is about 18' and then you are very close to the sidewalk.

Ms. Gaskell asked if we are getting requests for this in the North Neighborhood. She is also a little worried about the staggering effect. She likes the flexibility and feels the encroachment of the porch creates a more neighborhood feel.

Mr. Sayre replied that he is not sure exactly where the requests have come from, but there will need to be some setback exemptions due to curving streets.

Mr. Manly thinks that staggering houses would become a problem with the lots and angles of the roads.

Mr. Heinzen agrees with both Mr. Manly and Ms. Gaskell, but thinks that we need to have an exception for lots that are in older neighborhoods.

Mr. Sayre thought the existing residences could be handled by creating a new district.

Mr. Manly likes the concept that if we do have a 25' setback that the porch does not count towards that.

Ms. Tucker Long likes the idea of having houses closer to the street with room in the back to play. She likes the encroachment of the porches, but not the entire building.

Mr. Diaz likes to have more porches.

**b. Timing for Comprehensive Plan and Zoning Ordinance updates**

The Zoning Ordinance has known modifications that are needed such as signage regulations, telecommunication towers and floodplain updates.

Potential modifications to the Zoning Ordinance are parking maximums, allowing chickens in the City, fencing requirements, landscaping requirements, Drive-through standards, setbacks, density and the housing output from CARPC study.

Mr. Sayre asked where the priorities should be. Staff thought the Comprehensive Plan should be reconfirmed in the next year and get updated once the 2020 Census comes out to get on a cycle that is consistent with the census data. If we begin updating the Comprehensive Plan now, we will be using data from the American Community Survey. If we start working on the zoning codes, we recommend just redoing the whole thing.

Ms. Gaskell states that she fully supports everything Mr. Sayre said.

Mr. Heinzen asked if there is a uniform ordinance from the League of Municipalities.

Mr. Sayre said there is not one.

Ms. Tucker Long also thinks that it is a good idea to get the best data and get on the census schedule. She believes the zoning ordinance should be user friendly, which will help with compliance.

Mr. Diaz also agrees to delay the Comprehensive Plan. He would like to have a zoning ordinance that is readable and would help to be straight forward. Chickens are coming.

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

**a. Update on development projects.**

Lincoln Street apartments will go to the Common Council on July 23<sup>rd</sup> for a reconsideration request.

Legacy at Noel Manor is under construction.

Kettle Creek North is starting phase two.

Bach Race Craft got their approvals on July 2nd.

Ms. Gaskell asked what are the changes to the Sugar Creek Commons.

Mr. Sayre replied that most likely there will be additional units in the project and also another story to the buildings.

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

None

## **12. Adjournment**

Motion by Mr. Heinzen, seconded by Ms. Tucker Long, to adjourn at 8:35 p.m.  
Motion carried 5-0.