

3/1/2021 - Minutes

1. Call To Order

Luke Diaz called the meeting to order at 6:31 p.m.

2. Roll Call

Luke Diaz, Steve Hingle, Katie Kohl, Tyler Powers, and Beth Tucker Long were present. Also present: City Administrator Adam Sayre, Community Development Specialist Katherine Holt, City Engineer Carla Fischer, and Ehlers representative Todd Taves. Mike Hankard and Pat Lytle are absent and excused.

3. Public Comment

None

4. Approval Of Minutes From February 1, 2021 Plan Commission Meeting

Motion by Kohl, seconded by Tucker Long, to approve the February 1, 2021 Plan Commission Minutes. Motion carried 5-0.

5. Public Hearing - Conditional Use Permit (CUP) Amendment To Allow An Outdoor Seating Area Located At 231 South Main Street

The Hop Haus located at 231 South Main Street has requested a CUP for an outdoor seating area. This will be a permanent area which will take up part of the parking lot.

Motion by Diaz, seconded by Hingle, to open the public hearing at 6:33 p.m. Motion carried 5-0.

There were no public comments.

Motion by Kohl, seconded by Powers, to close the public hearing at 6:34 p.m. Motion carried 5-0.

a. Discussion & Possible Action – Conditional use permit (CUP) amendment to allow an outdoor seating area located at 231 South Main Street, Hop Haus.

Sayre presented the staff report. The Hop Haus is proposing an outdoor patio area over the existing parking lot and a structure, similar to a pergola, in front of their building. Traffic would continue to flow into the site as it does today. The public walkway would remain open. The hours for use of this patio would be the same as the existing patio, closing at 9:00 p.m. on the weekdays and 10:00 p.m. on weekends. It meets all of the finding of fact for conditional use permit. Hingle asked where patrons would park if the parking is removed.

Sayre stated that there are no parking restrictions in the Central Commercial zoning district. However, there is plenty of on-street parking, public parking lots, and the bicycle trail nearby.

Motion by Tucker Long, seconded by Powers, to recommend to the Common Council to approve a conditional use permit (CUP) amendment to allow an outdoor seating area located at 231 South Main Street with the following conditions:

- a. The outdoor patio fencing shall be a minimum of 48" tall.
- b. Alcohol consumption shall be limited to the fenced area as shown on the site plan or inside the Brewery. All areas where alcohol is consumed shall be monitored by Staff.
- c. The fence and gate for the outdoor patio shall comply with the requirements from the Police Department and Building Inspector.
- d. If required, the exit for the patio shall be labeled as an "exit only".
- e. The use of the outdoor seating area is permitted to operate from 7:00 a.m. to 9:00 p.m. Sunday through Thursday, and from 7:00 a.m. to 10:00 p.m. Friday and Saturday.

Motion carried 5-0.

b. Discussion & Possible Action – Site plan review for an outdoor patio located at 231 South Main Street, Hop Haus.

Tucker Long asked if there would be anything in the corner of the proposed patio area to stop vehicles from going into the patio such as bollards or planters.

Phil Hoechst, the applicant, replied that it was not planned to have a bollard in that location, but to potentially have bike racks in the corner areas outside of the patio.

Motion by Kohl, seconded by Powers, to approve a site plan review for an outdoor patio located at 231 South Main Street, Hop Haus. Motion carried 5-0.

6. Public Hearing - General Development Plan (GDP) For A Planned Unit Development (PUD) That Would Allow For The Construction Of Two (2) Apartment Buildings With A Total Of Forty-Eight (48)-Units Located On Lot 2, Prairie Oaks Drive, East Of Goddard School.

Motion by Diaz, seconded by Tucker Long, to open the public hearing at 6:42 p.m. Motion carried 5-0.

There were no public comments.

Motion by Kohl, seconded by Powers, to close the public hearing at 6:43 p.m. Motion carried 5-0.

a. Discussion & Possible Action – GDP for a PUD for two (2) apartment buildings with a total of forty-eight (48)-units located on Lot 2, Prairie Oaks Drive, east of Goddard School.

Sayre presented the staff report. The Applicant is requesting a GDP review for a PUD to construct two (2), apartment buildings for a total of 48-units for Lot 2, Prairie Oaks Drive, east of the Goddard School. This project has been in front of the Plan Commission and Common Council for a concept review in January 2021. The applicant did hold a meeting with the public about the project on February 3rd. Comments from that meeting are keeping the building at two stories, more trees, and a fence. As part of this application, there is a zoning map amendment request to rezone the property from Suburban Office to Urban Residential. The applicant is asking for exceptions on setbacks, height, and density. A total of 83 parking stalls are proposed. The applicant is still reviewing electric charging stations for the underground parking.

Diaz thought the feedback from the neighborhood was good advice and that there should be more evergreen screening for the Goddard School to the west such as white pine trees or Canadian hemlock.

Powers asked if Building 1 additional height would block the view of the neighbors to the north.

Sayre replied that there is a significant amount of grade difference between this proposed building and the existing neighbors to the north. The view may not be impacted.

Tucker Long asked if the parking exemptions are granted, where people would park as there is not marked on-street parking similar to other apartments that the Plan Commission has reviewed.

Sayre responded that there is still ample parking for the site with 83 parking spaces for 43 units. This parking ratio (spaces to units) is greater than most the Plan Commission has reviewed as most of the units are studio and one-bedroom apartments.

Tucker Long asked if we could require or request workforce housing for this property. If not, is there a way to encourage workforce housing on each housing project instead of putting it in one spot with one project?

Sayre responded that the City can't require workforce housing.

Motion by Powers, seconded by Kohl, to recommend that the Common Council approve a GDP for a PUD for two (2) apartment buildings with a total of forty-eight (48)-units located on Lot 2, Prairie Oaks Drive, east of Goddard School with the following exemptions:

- a. The street setback for Building 1 shall be reduced to seventeen (17)-feet;
- b. The side yard setback for Building 2 shall be reduced to twelve (12)-feet;
- c. The height of Building 1 shall be a maximum of thirty-six (36)-feet tall with the elevator shaft extending to a height of forty (40)-feet;
- d. Parking will be reduced to a minimum of one (1) underground parking space per unit; and
- e. Density for the UR zone will be twenty-four (24) units per acre.

Motion carried 5-0.

b. Discussion & Possible Action – Zoning map amendment to rezone approximately 2.03-acres from Suburban Office (SO) to Urban Residential (UR) located on Lot 2, Prairie Oaks Drive, east of Goddard School.

Staff reviewed the finding of facts for the zoning map amendment and determined that the rezoning does meet those requirements.

Motion by Tucker Long, seconded by Hingle, to recommend that the Common Council approve a zoning map amendment to rezone approximately 2.03-acres from Suburban Office (SO) to Urban Residential (UR) located on Lot 2, Prairie Oaks Drive, east of Goddard School. Motion carried 5-0.

7. Public Hearing - Precise Implementation Plan (PIP) For A Planned Unit Development (PUD) That Would Allow For The Construction Of 160,529 Square Foot Warehouse And A Maximum Of Twenty-Four (24) Pump Fuel Station Located South Of County Highway M, West Of Thousand Oaks Trail, North Of American Way, And East Of County Highway PD.

Motion by Diaz, seconded by Powers, to open the public hearing at 7:06 p.m. Motion carried 5-0.

There were no public comments.

Motion by Tucker Long, seconded by Hingle, to close the public hearing at 7:07 p.m. Motion carried 5-0.

a. Discussion & Possible Action – PIP for a PUD for a 160,529 square foot warehouse and a maximum of twenty-four (24) pump fuel station located in the Verona Technology Park.

Sayre presented the staff report. According to City ordinances, any retail building that is more than 100,000 sq. ft. needs to be processed as a planned unit development. Zoning exceptions have not been granted for this project. There will be three access points. There is a vacant store agreement that will go before the Council on March 8th which is consistent to what the City required of Festival Foods. 773 parking spaces are proposed for the site. The fuel station canopy is proposed to have solar panels. Sayre pointed out the pedestrian walkway locations. The building has not changed from the general development plan.

Kohl and Diaz stated they are happy to have designated pedestrian walkways in the site.

Motion by Tucker Long, seconded by Powers, to recommend that the Common Council approve a PIP for a PUD for a 160,529 square foot warehouse and a maximum of twenty-four (24) pump fuel station located in the Verona Technology Park with the following conditions:

- a. Prior to the PIP become effective, the City and Costco shall enter into a store rehabilitation/vacant store agreement.
- b. The PIP shall become effective upon Costco acquiring the properties identified within the PIP.

Motion carried 5-0.

8. Public Hearing - A Proposed Amendment For The Boundaries And Project Plan For Tax Incremental District No. 9 Located South Of West Verona Avenue, West Of South Marietta Street, And East Of Legion Street

Motion by Diaz, seconded by Tucker Long, to open the public hearing at 7:15 p.m. Motion carried 5-0.

There were no public comments.

Motion by Kohl, seconded by Powers, to close the public hearing at 7:15 p.m. Motion carried 5-0.

a. Discussion & Possible Action – Resolution designating proposed amended boundaries and approving a project plan amendment for Tax Incremental District No. 9, City of Verona, Wisconsin

Todd Taves from Ehlers gave a brief presentation explaining Tax Incremental Financing (TIF) and how it is used. TIF can be used for private development. The role of the TID is to increase tax base overtime. Taves explained the TID approval process. The key test is called the “But For” test, which is used to get the type of project that is beneficial to the City that will increase tax base. There are five types of districts and this particular district is a blighted area with a maximum TID life of twenty-seven years. Taves explained the eligible project costs such as public works and improvements. TID 9 was created in 2017 as part of the Sugar Creek Commons project. This is to promote redevelopment due to the area being a blighted area. The City has not spent significant dollars on this area. The City can expand the existing district due to the request for proposal (RFP) that was done for the Sugar Creek/New Century Elementary School property involving two housing projects that includes workforce housing. The City can amend the TID boundaries up to four times and this would be the first proposed amendment. Depending on funds, improvements could be made to West Verona Avenue and Legion Street intersection. Projects in this TID would include Sugar Creek Commons, Klassik/Old National property, and the Steve Brown/Alexander project. Incentives would be available for these projects as a “pay as you go” process. The development would gain access to the tax increment over time. The TID would close in 2045 or earlier.

Hingle asked what is meant by 420 Church Avenue for \$8.8 million and how does TIF work.

Taves explained the information is based on the RFP (their development proposal) and Ehlers required the developer to show a performa and assumptions of costs to operate, which is analyzed by Ehlers to determine market rate cost. A payment is made to the developer to pay for private on site costs and reimburse them for public infrastructure that they would be required to finance.

Diaz added that the developer gives us money up front and we can pay them back over time from the tax increment.

Tucker Long asked what the amount of TIF was granted for the Klassik and Old National site is for since we already have a developer.

Sayre explained that was redevelopment that was awarded Dane County housing funds. The dollars were included into the plan as a worst case scenario and a place holder if needed. If the City gives the developer that placeholder money, development agreements would be required.

Tucker Long asked what the process is if we wanted to move forward with a TIF plan in the future. If we allocate the money for the Klassik/Old National property, does it tie that money up even without agreements?

Sayre explained that new TIF district questions are fielded by staff, and the Mayor. Joint Review Board approval is required as the tax jurisdictions are agreeing not to get that tax money in that area until the TID is closed. State Statute requires the Common Council approval with the Joint Review Board review as if approved taxes are not available for twenty-three to twenty-seven years. The Plan Commission is just one step in the overall process.

Taves stated that the money will only be there if the project occurs as it is not money that exists.

Tucker Long asked what the base tax rate is based on and how does the money impact the school.

Taves explained that the taxes are based on January 1, 2017 accessors' value is part of the tax increment financing and anything that has increase is a better value. This will be increment dollars.

Tucker Long stated concern about adding a lot of density in the area without base taxes on 420 Church Avenue project and Old National/Klassik project with lots of families and asked what happens with the VASD money.

Taves explained that the City and the County absorb the cost of the area while the TID is open. School district runs under revenue laws. It will get the same amount of revenue from either taxes or aide. When the TIF is open, the school district is held harmless to money due to aide until the TID closes VASD gains tax revenue. They lose the aide and get the tax revenue. Money just shifts around, but same amount in the end.

Motion by Diaz, seconded by Kohl, to approve a Resolution designating proposed amended boundaries and approving a project plan amendment for Tax Incremental District No. 9, City of Verona, Wisconsin. Motion carried 5-0.

9. Discussion & Possible Action - Site Plan Review For An Additional Apartment Unit Located At 204 West Verona Avenue

Holt presented the staff report. The Applicant has submitted a request for a site plan approval to construct a 1,357 square foot apartment with a two car garage located at 204 West Verona Avenue. The applicant is proposing to plant two Crimson King Purple Maple trees along North Marietta Street even though there is not a minimum landscaping requirement for the Central Commercial zoning district. The applicant is proposing a three bedroom additional apartment to the two existing apartment and the existing business. The applicant is aware that this is the last apartment unit that can be added to the property unless it was demolished and started over.

Diaz asked if the Crimson King Purple Maple tree is an invasive species as it is kin to the Norway Maple.

Staff replied that they would look into verify that is the case.

Motion by Tucker Long, seconded by Diaz, to approve the site plan to allow for the construction of a three (3)-bedroom, 1,357 square foot addition to the existing building at 204 West Verona Avenue with the condition that the applicant uses native tree plantings for the proposed trees. Motion carried 5-0.

10. Discussion & Possible Action - Initial Planned Development Concept Review For 700 Apartment Units And Two (2) Commercial Buildings With Approximately 9,800 Square Feet Per Building Located At 2920 CTH M.

Holt presented the staff report. The property is currently located in the Town of Verona. The property to the east owner has expressed interest in preserving their property. An overview of the North Neighborhood Plan was given. The Applicant has submitted a request for an initial review to construct 700-multi-family units in six (6) buildings and two (2) commercial buildings with each containing 9,800 square feet located east of CTH M and south of CTH PD. This project requires annexation, urban service area amendment, and City approvals. Stop lights will have to be added at CTH M and Stony Ridge Circle. This project would be phased and it would take 5-10 years to complete the project. In general, Staff supports development on this Property. Staff supports this location for multi-family building as it straddles two (2) County Highways and will have full access to a traffic signal. This is a constrained site for any development due to stormwater management. This development and building design would be the gateway to the City of Verona once it is annexed. Staff looks forward to future reviews of this project.

Staff asked the Plan Commissioners to answer three questions:

- Do you support multifamily development in this location?
- If yes, how many units are supported?
- How many stories tall would be supported for the buildings?

Diaz asked if single family is even possible in this area.

Sayre explained it would be difficult to get the numbers to work with the stormwater management ponds.

Diaz commented that the City should be respectful of the Godshall property, which is outside of this project. He is supportive of multifamily in this location. A traffic impact analysis would be required for this project. He notes that this is not affordable housing but market rate housing, which responds to supply and demand keeping rents reasonable.

Tucker Long asked if there could be more underground parking and how concerned is the City about on-street parking on a private road.

Sayre stated that parking details are unknown at this time, but underground parking is the intended for each building. Surface parking will still be needed for guests; however, the applicant may be willing to reduce surface parking.

Powers stated that 700-units is pretty big considering Madison has 300 apartments on CTH M and more apartments located on Midtown Road. This proposed project would double the apartments in the area on one site.

Kohl stated concern about the total number of apartment in the area and asked if there will be pedestrian connectivity to the bike trails off the main road.

Sayre stated there would be a traffic signal at CTH M to gain access to the bicycle path on the opposite side of CTH M.

Diaz asked if there is a way to keep the private roads tied to the buildings in case the buildings are ever sold.

Sayre replied this could be added to a developers agreement or some other document.

Hingle stated that he is not against the total number of apartments due to the housing shortage.

Diaz is open to taller building located fronting CTH PD to minimize existing neighborhood impacts.

Tucker Long wants a mix of heights for the buildings and likes the proposed amenities.

Sayre summarized that it seems the Plan Commission is open to multifamily but has some concern about total number of units. A mixed height for the building would be nice.

There was a recess from 8:12 p.m. to 8:19 p.m. Fischer left at this time.

11. Discussion & Possible Action - Subdivision Regulation Text Amendment To Amend Section 14-1-70(U)(9) Relating To Changing Existing Street Names.

This change will make the process of changing street names easier than what it is today. The current process to change a street name involves amending the recorded plat or certified survey map (CSM) with an affidavit of correction. Surveyors are reluctant to work with the City on affidavit of corrections for street name changes as the affidavit of correction implies an error has occurred in the land division process. The proposed Ordinance amendment will allow the City to change street names at the discretion of the Council without the need to involve the surveyor or the affidavit of correction.

Motion by Tucker Long, seconded by Powers, to recommend that the Common Council approve an Subdivision regulation text amendment to amend Section 14-1-70(u)(9) relating to changing existing street names. Motion carried 5-0.

12. Discussion & Possible Action - Zoning And Sign Ordinance Rewrite Update

Holt explained that the Sustainability Task Force met on February 15, 2021 and reviewed applicable items that focus on sustainability that is embedded in the proposed Ordinance. The Task Force recommended changes to the proposed Zoning and Sign Code texts, which are included in this packet.

Electric Vehicles (EV)

a. Surface Parking Facility. Any surface parking facility built after the adoption of this Ordinance, containing greater than or equal to fifty (50) parking spaces, must have a minimum of one (1) electric vehicle charging station installed for every fifty (50) parking spaces, or fraction thereof.

b. Structured Parking Facility. Any structured parking facility built after the adoption of this Ordinance, shall have a minimum of three (3) parking spaces ready with conduit to be converted to a station for charging electric vehicles plus one (1) additional parking space ready to be converted to a station for charging electric vehicles for every fifty (50) parking spaces.

Diaz stated that single family homes should be required to have EV charging plugs.

Tucker Long and Powers agree that this should be broken out into subgroups and not a blanket requirement such as businesses and residences.

Diaz and Tucker Long feel that there should be some sort of minimum; example 1 charging station per 50 parking spots.

Hingle asked what will be the trigger for installation of a charging stations such as new build construction.

Holt explained that this would be for new build as well as modifications to parking lots. If more parking spots are added, you would need to comply with the ordinance.

Powers asked if we could put a cap on how many a parking lot should have.

Tucker Long stated the Plan Commission should be able to grant exemptions to the amount of charging station required to ensure that these requirements are not too burdensome on certain developments.

Diaz recommended that municipal parking lots have charging stations in the future no matter what the requirement is for the amount of parking spaces.

Landscaping

Groundcover: Herbaceous plants, other than turf grass, or prostrate shrubs that are native to, or adapted to, the State of Wisconsin, normally reaching an average maximum height of eighteen (18) inches at maturity.

"Groundcover: A minimum of seventy-five (75) percent of the surface area of every parking lot island and median shall be planted with living groundcover"

Tucker Long suggested using the word pervious verses living.

Diaz is concerned about the extra mowing that may take place if there is living groundcover. He supports the using pervious or permeable surface.

Sayre stated that the percentage could be reduced.

All agreed that pervious is a better word to use than living groundcover.

Land Use

Urban Garden.

(1) Urban gardens shall not exceed twenty (20) percent of the lot's area. (This sentence was recommended for removal.)

(2) Urban gardens located in front or corner yards shall:

- a. Not utilize hoop houses, cold frames, or other structures.
- b. Not have any plant material which exceeds four (4) feet in height within sight lines.
- c. Not have any dead plant materials present with the exception of dead plant materials utilized for ground cover, mulch, or compost.
- d. Not include any plant material that could interfere with a public sidewalk.
- e. Be setback a minimum of three (3) feet from all applicable property lines.

(3) Urban gardens located in side or rear yards may utilize hoop houses, cold frames, or other structures if they are setback a minimum of three (3) feet from all property lines.

Holt shared that the suggestion is to remove number one and add in the underlined part in 2-B.

Tucker Long and Powers are in favor of these changes.

There was a discussion about the setback requirement for gardens, but the requirement remained.

Tucker Long proposed 2-C be removed from the proposal as gardeners are trying to tidy gardens in the spring to use the materials.

Holt explained it would be removed and this information is proposed in the Natural Lawn Ordinance located in a different part of the City's Ordinances.

Zoning

Holt explained that Staff created a comparison table to show different changes that are being proposed for the Ordinance compared to the current Ordinance. Typically, there is not a lot of time to complete this when rewriting an Ordinance. By creating these tables, Staff was able to determine that certain land uses would be prohibited in zones where they reside. Holt also discussed the Costco comparison table with a focus on the parking requirements. The comparison table showed that Costco's approved parking in the range of total amount of parking allowed. If parking seems high, the Plan Commission should consider lowering the maximum parking requirement as it is double the minimum requirement.

Diaz stated that 1000 parking stalls sounds like a lot especially for Costco.

Sayre recommended that the Plan Commission review the materials and email Staff any recommended changes.

13. Reports And Comments From The Planning Department

a. Update on development projects

All of the projects are on the website.

Next meeting is on April 7th.

b. City and Town of Verona Joint Planning Committee update

There were four certified survey maps that are proposed in the Town of Verona and will go to the Common Council on Monday. There were approved last week at the Joint City/Town Planning Committee.

14. Adjournment

Motion by Powers, seconded by Tucker Long, to adjourn at 9:08 p.m. Motion carried 5-0.