

Regular minutes of the Planning Commission
Thursday, February 1, 2007

1. **CALL TO ORDER.** The regular meeting of the Planning Commission was called to order by Chair Schnelle at 5:36 p.m., on Thursday, February 01, 2007.
2. **ROLL CALL.** Present: Greg Schnelle, Jeff Groenier, Larry Mahr, John Deininger (arrived at 5:50 pm), John Bieno, Scott Meier, Steve Staton. Absent: Ken Kluz. Also Present: Mike Gracz Village Administrator, Mark Below Public Works Director, Jerry Luebke Village President, Mike Slavney Village Planner, Jessica Shmiedicke Assistant Village Planner, Trustee Hans Noeldner and Trustee Phil Harms and Clerk Assistant II Tracey Hicks.
3. **From 5:30 PM – 6:30 PM Public Informational Meeting regarding the proposed new Village wide zoning map.**
 - a) **Planning Commission's Discussion of the comments from the Public Informational Meeting regarding the new zoning map and a reminder about the February 21st Public Hearing for the Zoning Map.** Slavney gave a brief overview of the proposed zoning map of how and why properties were given their specific zoning. Slavney also noted this is to the benefit of property owners since properties will fit within the requirements of the pending adopted zoning ordinance. Slavney addressed some frequently asked questions, noting that taxes will not be affected by a change in zoning, rules on making additions will be easier to follow, and if you do not like the proposed zoning of the property you can make comment at the Public Hearing on February 21, 2007. Noeldner spoke with regards to the environmental corridor, parks and open space zoning. Noeldner also had questions regarding the rural district zoning. Paul Marunich of 266 Orchard Dr questioned the zoning of his property with a four unit building and if anything was to happen to the building would he be able to rebuild. Slavney noted he could rebuild as long as there was not 365 days of discontinued use. Ryan Horrisberger had concerns regarding his property and lot size. Jeff Eyers had a general inquiry specific to his property regarding the difference between SR-5 and SR-4 zoning. Paula Brisco had various questions regarding the proposed zoning map and Lycon's zoning. In response Slavney, noted that Lycon was zoned Planned Unit Development because the Village has more control over the development and is much stricter than having a Conditional Use Permit. The informational meeting was closed at 6:30 pm.
4. **APPROVAL OF MINUTES.** Mahr moved, second by Bieno to approve the minutes of January 4, 2007. Motion carried.
5. **PUBLIC APPEARANCES:**
 - a) **Susan Benjamin to discuss the future plans for the property at 4727 Rutland Dunn Town Line Rd.** Susan Benjamin daughter of Magdalene Handel who is the property owner of 4727 Rutland Dunn Town Line Road. Benjamin noted that two municipalities back up to this property one being the Village and inquired about the Village's plan for the property. Handel is looking at selling the land to use as retirement funding. Slavney noted that the adopted plan does include this property and foresees the Village utilizing the property as an office development space or an industrial area. There was discussion of this property being in the recapture area and if and when utilities could be added. Slavney noted that this adopted plan is not short-term, which appears to be the intent of Benjamin. Benjamin noted the timeline they are facing with the property and thanked the Commission for letting her speak.

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Meier stepped out.

- b) Discussion and recommendation to the Village Board regarding the conceptual plan review, and request of the annexation petition of the property located at 5201 West Netherwood Rd. from Nick Ladopoulos / Prairie Homes LLC. Ladopoulos presented his conceptual plan at 5201 Netherwood Road. Ladopoulos noted that there are currently 404 trees and the conceptual plan as presented, 294 trees will be saved which calculates to 72%, which is above the 70% required by the ordinance. Slavney noted that if any of the preserveable trees perish during construction they will have to be replaced with a tree of substantial equitable size. Slavney noted Ladopoulos proposed a private drive to save trees and allows for a narrower street cross section, and recommends the flat concrete shoulders for pedestrian traffic. There was discussion regarding the Planned Unit Development and its zoning requirements for this property. There was a memo referred to from the Village Engineer dated January 24, 2007 with a few concerns and ordinances that need to be met. There was also reference to a memo dated January 26, 2007 from Oregon Area Fire/EMS District Interim Chief Dave Bloom with some safety recommendations and concerns. There was discussion of pedestrian traffic in this area and ideas of how to address it. Groenier noted lots 10 – 18 and 25 do not have frontage to a public road and may need to be included in the Planned Unit Development zoning because the Village's single family ordinance requires having frontage to a public road. **Groenier moved to recommend to the Village Board approve the conceptual plan referring back to Ruckert Mielke's addressing the six items which overlaps with the Oregon Area Fire/EMS District comments in addition address the sidewalk/road profile to be reviewed by the Village Engineer for recommendation also including lots 10-18 and 25 in the Planned Unit Development Zoning district. Second by Deininger. Motion carried.** Slavney recommended the staff meet with Ladopoulos to figure out exactly where the Planned Unit Development zoning needs to be. **Bieno moved to recommend to the Village Board approve the annexation petition of the property located at 5201 W. Netherwood Road. Second by Mahr. Motion carried.** Meier returned.

Groenier stepped out.

- c) Conceptual plan review and discussion of redeveloping the property in the 1000 block of Park St. by Darrell Wild. Wild noted his part in developing a portion of Villages of Foxboro and is currently in the process of looking for commercial tenants for his remaining 2 ¼ lots. During the process of searching for tenants Wild came up with the current conceptual plan for the 1000 block of Park Street because of the problem with location and most potential tenants wanted to be located on Janesville Street. Wild noted with a master plan for the area more retail tenants would be more pertinent to build or occupy space in Oregon, also commenting the area needs revitalization because it is the gateway to Oregon. Wild noted that the lower single story buildings in the conceptual plan are near the exit on Highway 14 and anticipate a grocery type facility. Wild commented on using the roundabouts in a couple of locations and anticipate that these will be quicker moving than stop lights. The hotel presented will be in the back near Concord Drive, noting hotels are a semi residential facility. Wild also noted the delivery area for semi trucks so the flow of traffic is not blocked or slowed. It was noted that the zoning is acceptable for the area. Gracz did note that the Department of Transportation is

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still looking at the Highway 14/138 interchange and the Park Street/Janesville intersection will need to mirror that. Bieno applauded the conceptual idea and thanked Wild for coming in with a development that is long over due and gave some suggestions. There was discussion of possibly using TIF money for the project. Staton also noted looking at safe and efficient bike and pedestrian traffic for the area of development. Schnelle noted the Planning Commission's positive consensus regarding the conceptual plan.

6. COMMUNICATIONS AND MISCELLANEOUS BUSINESS:

- a) Letter from the Wisconsin Department of Administration regarding the Oregon Farms Partnership Annexation (Peterson Property). Groenier returned. Gracz noted this is for informational purposes.

- b) Discussion and recommendation regarding the Dane County Rezoning & Conditional Use Permit Application by Vedvik Farm LLC (east of 1051) Union Rd. in the Town of Oregon. Schnelle noted this particular parcel has been in front of the Planning Commission before. A farm easement was vacated and now this has gone to Dane County for rezoning. Schnelle noted that there are concerns about what kind of development may occur on the property and the Village needs to protect themselves. Meier noted that the County C-2 zoning is not what the Village wants for the property because it allows billboards, storage units and other various things. Slavney noted that the developers have given the Village a list of uses that are allowed in C-2 that they would prohibit, but Slavney would like to see the developers put restrictions on that property if developed in the Town of Oregon and have it comply with the Village's Planned Business or Neighborhood Business zoning district standards. Slavney noted exterritorial zoning is a hassle and does not feel it is worth it for this little sliver of land, but they could in covenants put that restriction on the property and would like to see this be compatible with good quality neighborhoods in the area. Slavney's recommendation is to see if they would be willing to put that kind of restriction on the property. Groenier commented on adding in the restrictions if utility services are out there they would need to hook up. Gracz noted he spoke with the Village Attorney and the Village Attorney said it is difficult to force someone to annex, but the anticipation is whenever the utilities are added out there, and Roark's property to the west is annexed, you could tie the two properties in together so if one property is annexed the other has to come with. **Groenier moved to the Village Board to not object to the rezoning as long as the developers follow the Village's standards for neighborhood business or planned business. Second by Bieno. Motion Carried.** There was discussion regarding how the developer would legally follow the Village's standards and deed restrictions. Gracz noted he anticipated having discussion with Below, Slavney and, Dregne of how to protect the Village as much a possible before the motion goes to the Village Board.

7. **UNFINISHED BUSINESS.** There was discussion regarding the update of the FEMA floodplain maps. It was noted the Village Board decided not to appeal based on the cost, however property owners possibly affected will be sent letters and can appeal themselves.

8. **NEW BUSINESS.** There was no discussion.

9. **STAFF REPORT.**

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- a) Status of Developments/Projects. There was no discussion.
 - 1) Alpine Meadows, Bergamont & Oregon Parks Neighborhood
 - 2) Alpine Business Park
 - 3) Villages of Foxboro
 - 4) N. Alpine Parkway

10. ITEMS FOR FUTURE MEETINGS. There was no discussion.

- a) Extraterritorial Zoning
- b) Adoption of Southeast Quadrant Plan

11. ADJOURNMENT: Bieno moved to adjourn the regular Planning Commission meeting at 7:36 p.m. Second by Staton. Motion Carried.