

WATERLOO PLAN COMMISSION – Minutes for September 28, 2021

[a digital meeting recording also serves as the official record]

PUBLIC HEARING (1) – Rezoning McKay Way Lots 1-6 And 32-41 From Residential District (R-2) To A Planned Development District (PDD) For Purposes Of Establishing Residential Dwelling Units On The Parcels, Applicant: JGP Development LLC

1. Call To Order. Mayor Quimby called the public hearing to order at 7:00 pm. Plan Commissioners attending: Petts, Crosby, Quimby, Sorenson, Lannoy and Reynolds. Absent: Leisses. Others attending: Kathy Zweig; Maureen Giese; Don Nell; Jeff Kes; Derek Dabbs; Wanda Riege; Don Riege; Dean Jaeger; Tom Jaeger; Homer Braden; Sandra Braden; Mark Herbst; Jeff Linkenheld representing JGP Development LLC; Adam Fitzgerald; Todd Lindert, Jefferson County; Sheriff Paul Milbrath and the Clerk/Treasurer.
2. Public Hearing. Don Nell said the change was good for the neighborhood. He said developer construction efforts lacked curb appeal, were sloppy with questionable workmanship. He asked what other standards would change with the proposal. He said the developer's feet should be held to the fire. Jeff Kes said the new construction looks like a dormitory. He said the neighbors were wonderful. In response to the Mayor's question, Kes said he favored the rezoning. Maureen Giese asked the developer to donate additional park space for a playground. Jeff Linkenheld said the change was requested solely to allow for the sale of individual residential units as condominiums. He said the required frontage was less than required for a number of lots. Hansen said a zoning variance would require demonstration of hardship and none existed as this was a request based on the potential commercial benefit of selling dwelling units as condos rather than duplexes. Linkenheld said his client was seeking an adjustment to the R-2 frontage requirements only and would abide by all other R-2 requirements.
3. The Mayor adjourned the public hearing at approximately 7:20 pm.

PUBLIC HEARING (2) – Conditional Use Application To Allow For An Additional Garage On The Subject Property Exceeding 144 Square Feet, 1113 Lum Avenue, Applicant: Kathy Zweig.

1. Call To Order. The Mayor called the public hearing to order at 7:15 pm. See above for attendees.
2. Public Hearing. Yard setbacks were confirmed. Don Riege asked about the gas line. The building location was confirmed as being in the back yard. In response to a Sorenson question, Hansen said multiple small sheds could be erected without a permit. Zweig said the building would store vehicles and would be accessed twice a year or thereabouts.
4. Adjourn Public Hearing. The Mayor adjourned the public hearing at approximately 7:24 pm.

PLAN COMMISSION REGULARLY SCHEDULED MEETING

1. CALL TO ORDER AND ROLL CALL. Mayor Quimby called the public hearing to order at 7:00 pm. Plan Commissioners attending: Petts, Crosby, Quimby, Sorenson, Lannoy and Reynolds. Absent: Leisses. Others attending: Kathy Zweig; Maureen Giese; Don Nell; Jeff Kes; Derek Dabbs; Dean Jaeger; Tom Jaeger; Homer Braden; Sandra Braden; Mark Herbst; Jeff Linkenheld representing JGP Development LLC; Adam Fitzgerald; Todd Lindert, Jefferson County; Sheriff Paul Milbrath and the Clerk/Treasurer
2. APPROVAL OF MEETING AND PUBLIC HEARING MINUTES: August 24, 2021. MOTION: [Crosby/Petts] to approve. VOICE VOTE: Motion carried.
3. CITIZEN INPUT. None.
4. COMPLIANCE & ENFORCEMENT REPORT
 - a. Discussion & Action On Plan Commission Compliance Measures. DISCUSSION: Chris Butschke said his workload had lessened; he would follow-up on open items providing more time when progress is being demonstrated or issuing citation in conjunction with the Police Department. No action taken.
5. UNFINISHED BUSINESS
 - a. Agricultural District Draft Ordinance For Review And Council Recommendation (Council Referral Of Denied A Commercial/Industrial Use Request In An Agricultural District, Thomas & Theresa Jaeger, 200 Clarkson Road. NOTE: On August 5th, the City Council denied a July 27, 2021 Plan Commission recommendation determination stating that a proposed welding/repair business at this property would be a use customarily incident to permitted Agricultural District permitted uses. Immediately after voting to deny the determination, Alders referred the matter back to the Plan Commission.). MOTION: [Sorenson/Lannoy] to recommend to the City Council: (a) adoption of the draft ordinance as presented; and (b) the granting of a condition use to Thomas & Theresa based on their July 27, 2021 conditional use application, once the ordinance change is in place. VOICE VOTE:

Motion carried with Petts voting no.

- b. Conditional Use Application, Jefferson County Sheriff, Herron Court Parcel (ID #290-0813-0613-034, located directly south of 735 Herron Court). The applicant is requesting a conditional use permit to allow the existing tower height to be increased. A conditional use permit is required for a change in height for an existing communication tower. DISCUSSION: Todd Lindert said and existing pole would be removed by Waterloo Utilities; the accessway would remain grass; he would consult with Chad Yerges on a curb cut; a weed barrier would be used; and the fence would be two feet off the property line. MOTION: [Petts/Crosby] to recommend City Council approval of the revised application and plan. VOICE VOTE: Motion carried.
- c. Street Lighting At Intersection Of State Highways 19 & 89 (4-corners) & Adjacent Park Lighting. DISCUSSION: Sorenson said options included: buying two new fixtures for an estimated \$5,000 or, as previously suggested by Leisses, placing a light in the Park. The Mayor and Crosby called for a study to evaluate what it would take to improve lighting. Sorenson said WisDOT wants the lighting as low as possible, with headlights providing visibility. Sorenson said he would follow-up with Leisses on the cost of a study. MOTION [Crosby/Petts] to table the matter to allow Sorenson to report back on the cost of a study. VOICE VOTE: Motion carried.

6. NEW BUSINESS

- a. Certified Survey Map Applications, McKay Way Lots 32, 33 & 39, Arc Designs Resources Inc., Representing JGP Development LLC. MOTION: [Crosby/Lannoy] to recommend City Council approval of the maps as presented contingent upon final approval by the City Engineer. VOICE VOTE: Motion carried.
- b. Rezoning McKay Way Lots 1-6 And 32-41 From Residential District (R-2) To A Planned Development District (PDD) For Purposes Of Establishing Residential Dwelling Units On The Parcels, Applicant JGP Development LLC. DISCUSSION: Jeff Linkenheld to send a letter in advance of City Council consideration clarifying the specifics of the PDD, limiting it to a parcel frontage modification and selling individual units. MOTION: [Petts/Sorenson] to recommend City Council approval of a rezoning request from R-2 to PDD for the express purpose of allowing a reduced lot frontage width standard and the ability to sell individual units, while abiding by all other development requirements of the R-2 District. VOICE VOTE: Motion carried.
- c. Conditional Use Application To Allow For An Additional Garage On The Subject Property Exceeding 144 Square Feet, 1113 Lum Avenue, Applicant Kathy Zweig. MOTION: [Crosby/Petts] to recommend City Council approval of the applications. VOICE VOTE: Motion carried.
- d. 310 Portland Road. Plan Commission On CDA Direction On Property Questions From UFP's Chuck King, Referred By Mayor. DISCUSSION: The Mayor said the item was to inform Commissioners of development topics occurring daily. She mentioned the benefit of a master plan. She said there was no interest in taking on the property. No Action Taken.
- e. Plan Commission Consideration And Report On Resolution #2021-38 Authorizing The Sale And Transfer Of Land Consisting Of The Eastern Portion Of Parcel 290-0813-0533-040 Located Between 136 North Monroe Street And 124 North Monroe Street From The City Of Waterloo To Milo H Sillman Trust Or Future Owners Of 124 North Monroe Street, Before Council Final Action, Per See Scanlon v. City of Menasha, 16 Wis.2d 437, 114 N.W.2d 791 (1962) Wisconsin Supreme Court As Recommended By The City Attorney. MOTION: [Crosby/Sorenson] to table the matter until the next meeting to allow for the City Engineer to determine (a) where the property lines are located and (b) to report back to the Plan Commission on the question: is the area to be transferred/sold suitably stable to prevent future instability to the adjacent municipal parking lot. VOICE VOTE: Motion carried.

7. FUTURE AGENDA ITEMS & ANNOUNCEMENTS

- a. Comprehensive Plan Implementation, Zoning Maps & Planning Map Updates. Noted
- b. The Mayor expressed interest in reviewing the code book a section at a time, perhaps starting at later date.

8. ADJOURNMENT. MOTION: [Petts/Crosby] To adjourn. Approximate time: 8:20 p.m.


Mo Hansen, Clerk/Treasurer