



APPROVED

5-19-2015

TOWN OF WINDSOR

PLAN COMMISSION MEETING

Minutes

April 28, 2015

1. Call Meeting To Order.

Meeting convened by Chairperson LeGore at 6:00 p.m.

2. Roll Call.

Commissioners present: Al Davis, Barry Eichinger, David Gaustad, Jeff Heisig, Kay Hoffman, Bill LeGore, and Beth Trotter.

Others present: Planning and Development Coordinator Amy Anderson Schweppe, Town Engineer Kevin Richardson, Town Attorney Connie Anderson, Town Planner Jamie Rybarczyk, and Town Board Liaison Bruce Stravinski.

3. Recitation Of The Pledge Of Allegiance.

The Pledge of Allegiance was led by Commissioner Heisig.

4. Election Of Chairperson And Vice-Chairperson.

Commissioner Eichinger nominated Chairperson LeGore to continue as Chairperson of the Plan Commission. The nomination was seconded by Commissioner Trotter. Motion carried with a 7-0 vote. Chairperson LeGore appreciated the vote of confidence.

Commissioner Trotter nominated Commissioner Eichinger to continue as Vice-Chairperson of the Plan Commission. Commissioner Hoffman seconded the nomination. Commissioner Eichinger accepted the nomination. Motion carried with a 7-0 vote.

5. Minutes From March 17, 2015.

A motion was made by Commissioner Davis, seconded by Commissioner Heisig, to approve the Minutes from the March 17, 2015, Plan Commission meeting as presented. Motion carried with a 7-0 vote.

6. Report From Bruce Stravinski, Liaison To The Town Board.

Supervisor Stravinski advised that on March 19 the Town Board approved the preliminary plat of Wolf Hollow. The Town Board also approved the final plat for Windsor Golf Ventures, which the Plan Commission approved on March 17. The Town Board took no action on the CSM to reconfigure 4506 Lake Circle for the home for the caretaker, which the Plan Commission did approve. The matter was held in abeyance because of issues brought up by the county. The Town Board approved the Wolf Hollow environmental corridor amendment that was approved by the Plan Commission on March 17.

7. Appearances.

None.

Old Business

8. Adoption Of The Town Of Windsor Comprehensive Plan Amendments (Plan Resolution 2015-06).

Town Planner Rybarczyk provided a staff update. This is the public hearing. The town has been working on updates to the Comprehensive Plan for the last 12 months. The final working sessions started in January of this year. March 19 started the public comments. The town received comments from Mark Roffers from the village of DeForest. The town felt the comments were good, and they will be incorporated in the Comprehensive Plan. The town also received a letter from Pam Andros of Dane County Planning and Development. Town staff had no concerns with her comments. The Town Board will be taking this up in May, and all final comments will be incorporated into the final documents.

The reason for the new Comprehensive Plan is new demographics and electronic mapping data from Dane County. The town went through its goals and objectives.

The next step is adoption by the Town Board on May 21.

Commissioner Eichinger questioned the comments made by Mark Roffers. Does reviewing his comments and incorporating them into the Comprehensive Plan affect the Resolution before the Plan Commission?

Town Planner Rybarczyk responded, “no.”

Town Attorney Anderson added that it was fine to go ahead with the Resolution, noting that these comments were also presented at the meeting. They are clarification points.

A motion was made by Commissioner Davis, seconded by Commissioner Gaustad, to approve Plan Resolution 2015-06 To Recommend Text And Map Amendments To The Town Of

Windsor Comprehensive Plan: 2025 Pursuant To Wisconsin Statutes Section 66.1001. Commissioner Eichinger added that Mark Roffer's comments, as well as Pam Andros' comments, were mentioned, and they will be reviewed for incorporation. The motionmaker and second concurred. Motion carried with a 7-0 vote.

New Business

9. William Kaltenberg Requests Approval Of A Conditional Use Permit In Order To Construct A Personal Accessory Building Approximately 1,440 Square Feet In Size At His Property Located At The Intersection Of Mile Road And Vinburn Road. The Conditional Use Permit Is Required For An Accessory Building That Exceeds 1,000 Square Feet In Size In The Estate Residential Zoning District. (Plan Resolution 2015-07.)

Town Planner Rybarczyk provided a staff report. The petitioner is present before the Town Board. He is constructing a new residence and accessory building on Lot 2. The accessory building exceeds the allowed 1,000 square feet in the ER-1 zoning, but this can be increased to 2,000 square feet if a conditional use is approved. The accessory building will be used for indoor storage and personal use only. There will be no commercial or industrial use. The petitioner has submitted architectural plans and color renderings. Town Planner Rybarczyk did not receive any plans for the house. He did not know if the plans for the accessory structure are compatible with the house.

Town Planner Rybarczyk recommended approval subject to the six conditions in the Resolution: (1) approval of a conditional use permit from the city of Sun Prairie; (2) all conditions of approval by the town of Windsor and city of Sun Prairie are satisfied; (3) petitioner must record a deed restriction, in a form approved by the Town Attorney, acknowledging that the proposed accessory structure shall be limited to use by the property owner for permitted residential accessory uses only; (4) building elevations shall match those in the application and shall complement the architecture of the principal residence on the lot; (5) any lighting shall be downward facing and not adversely impact neighboring properties; and (6) payment of all fees associated with the approval.

Mr. Kaltenberg indicated that the house plans have already been approved, and the colors will match with the house.

Commissioner Eichinger asked whether we had plans for the house. How does the Plan Commission approve compatibility?

Town Attorney Anderson responded that there is a condition in the Resolution regarding the elevation and that they complement each other.

A motion was made by Commissioner Eichinger, seconded by Commissioner Heisig, to approve Plan Resolution 2015-07 Recommending Approval Of Conditional Use Permit (CUP) For Property At The Intersection Of Mile Road And Vinburn Road In The Extraterritorial

Jurisdiction Of The City Of Sun Prairie And In The Town Of Windsor, Dane County, Wisconsin [Kaltenberg; Lot 2 Of CSM 13276 – NW Corner Of Vinburn Road And Mile Road]. Motion carried with a 7-0 vote.

10. Bear Tree Farms, Inc. Requests Approval For A Final Plat for Bear Tree Farms. The Location Of The Property Is Generally Located At The Southeast Corner Of The Intersection Of Highway 51 And Windsor Road, In The Town of Windsor. The Proposal Includes 364 Single-Family Detached Residential Dwelling Units, 232 Multi-Family And Senior Housing Dwelling Units, And A Park And Trail System.

- a. Public Hearing.

Chairperson LeGore opened the public hearing at 6:22 p.m.

Town Planner Rybarczyk provided a staff report. Before the Plan Commission is the final plat for Bear Tree Farms. The town has seen this on numerous occasions. This is a mixed-use development of 227 acres consisting of 364 single-family lots, 232 multi-family/senior units, 1.4 acres of commercial, .6 acres for municipal utilities, 28 acres of park (three tot lots and a community park), and 21 acres for storm water management. This will be built out in nine phases. Lots will range from 12,000 square feet to 23,000 square feet. Petitioner has submitted all of the requirements for a final plat, which have been looked at by staff. When this went through the preliminary plat approval, the town made some policy decisions which allowed the project to move forward to the final plat stage. The town agreed to the density. A waiver to the code of ordinances regarding curb and gutter was made. This development will have swales vs. curb and cutter for better infiltration of water. The town has been working with the developer on the multi-use trail system. The town waived its ordinance for sidewalks. There will be a 10-foot wide path instead.

Six new platting comments were provided to the developer at a meeting earlier in the afternoon, and the developer agreed to those six comments.

Town Engineer Richardson stated that the town will need utility agreements for water and sewer from Windsor Sanitary District No. 1. The town would like to have easement maintenance agreements in place.

Town Planner Rybarczyk showed the park designs. The Park Commission and Town Board have agreed to the conceptual plans.

Commissioner Trotter asked who would be paying for the parks.

Town Engineer Richardson responded that they would be jointly paid for by the payment in lieu of parkland and town funds.

Chris O'Connell, 6706 Royal View Drive, was opposed to the project. Lot 7 where the water tower is proposed is also labeled a park. He did not want the water tower in his backyard. He would like it moved to the south.

Town Planner Rybarczyk responded that Outlot 7 next to lot 7 will be a tot lot.

Lisa Thoms, 6694 Royal View Drive, opposed the project. She would like the lots with multi-family relocated and the lot sizes bordering Terrace Park increased. She lives next to the plat. The changes that have been made are awesome.

The public hearing was closed at 6:43 p.m.

b. Action (Plan Resolution 2015-08).

Commissioner Trotter asked about the water tower.

Town Engineer Richardson responded that it has to be where proposed. It has to be on the highest place for fire protection, redundancy, and service.

Windsor Road was discussed. Commissioner Trotter asked if the town has any future plans as to how Windsor Road will look.

Town Engineer Richardson responded that it will stay the way it is for quite a while. The traffic counts are fine.

Commissioner Eichinger added that it is always difficult to have a neighborhood with multi-family in it. The town is requiring that most of its subdivisions have multi-family. It is very difficult for a developer. There are plenty of multi-family dwelling units that are highly attractive. He did not want the town to look at multi-family as a negative item.

Town Planner Rybarczyk noted that there will be quality requirements for the multi-family and senior housing site plan review ordinances and restrictive covenants. They will be guaranteeing the town of high-quality multi-family.

Chairperson LeGore indicated it is good to notify future buyers as to what is coming: lighted ball diamonds, a water tower, multi-family, etc.

A motion was made by Commissioner Eichinger, seconded by Commissioner Davis, to approve Resolution 2015-08 Recommending Approval Of The Final Plat Of Bear Tree Farms In The Town Of Windsor, Dane County. The motion carried with a 7- vote.

11. CF Investments, Represented By Craig Frank, Requests Site Plan Review Approval For North Towne Homes, Lot 97 Of Wolf Hollow. The proposal Is For A Mixed Multi-Family Residential Development Project That Contains A Total Of 60 Units. (Plan Resolution 2015-09).

A staff report was provided by Town Planner Rybarczyk. The petitioner is looking to develop Lot 97 of Wolf Hollow which will be 42 traditional apartment-style units and 18 townhome units, for a total of 60 units. The architecture is prairie-style. The three-unit buildings are designed to have a single-family appearance and will range from 1,280 to 1,440 square feet. The apartment building will range from 616 to 1,152 square feet. There are common elements of a multi-use path, a gazebo, and recreation space. The town has reviewed Lot 97 at both the Plan Commission and Town Board level and has seen many iterations using different building styles. The main comments or concerns were regarding landscaping, parking, storm water management, access to the site, and also the architecture of the buildings. The site will now be accessed from Windsor Road or North Towne Road. Wolf Hollow will be for emergency purposes only. The developer meets the parking requirements for Dane County with 78 parking spaces for the 42-unit apartment building. Visitor parking will be in front of the building. The petitioner is proposing rain gardens and berms, a sports court, and gazebo. They will be preserving the mature trees.

Town Engineer Richardson noted that the storm water plan has to be approved by Dane County. North Towne Road is being designed. Approval will be needed from Windsor Sanitary District No. 1 for the utility service plan. The town has been working with the developer, and there is now emergency access from Wolf Hollow. The main entrance will be off of North Towne Road. There should be no Lot 97 traffic in Wolf Hollow.

The village of DeForest looked at the plat in 1999. There was a storm water management plan that is still being followed today. The rain gardens are for auxiliary storm water management from the roofs. The lot was in the village of DeForest, and the density was set by the village of DeForest. The town inherited the lot.

Architectural plans were submitted along with elevation plans. There is underground parking for each of the three-units.

Town Attorney Anderson reminded everyone that the zoning and density are not an issue at the meeting. These were set by the village of DeForest, and the zoning and the property was returned to the town with its densities and zoning set. The town can only comment on the site plan.

Chairperson LeGore noted that the Plan Commission is only looking at the technical points. It is not looking at density or size of the units. It will be looking at the use of the site and how it operates.

James Stoppie, Madison Property Management, Inc., 1202 Regent Street, Madison, appeared in support of the application.

Attorney Jesse Spankowski of Miller & Miller in Portage appeared on behalf of the applicant, Craig Frank.

Attorney Spankowski discussed the site plan indicating that it had gone through many revisions. The original access was off of Windsor Road. That was a major issue. Through the process of negotiation, a better way to provide access off of Windsor Road and North Towne Road was proposed. It is a challenge to transition from single-family housing to multi-family housing. There are now 7 buildings vs. an original 13 buildings.

Craig Frank held a neighborhood meeting in June of 2014. Only 12 people showed up for the meeting.

Jim Stopples discussed property management. He has managed 3,800 units in Madison and the surrounding area for the last 10 years, including Windsor and DeForest. They have a full rental staff.

Jeff Groenier, the architect for the project, went over the site plan changes from the last time. There were concerns about setback requirements. They pulled the three-units away from the property line and put in a berm. They moved the bigger building. There are now 150 parking stalls, or 2.5 for every unit. The recreational area was moved. He showed the elevations. The siding color is the same; however, the trim colors change. He showed a mock-up of the materials and the floor plans.

Mr. Frank explained that there would be high-end finishes, with stainless steel appliances, pantries, and a solid-surface breakfast bar. There will be nicer high-quality cabinets. There will be additional amenities, including bikes to use and a trail. This will be a pioneer for the Windsor market to obtain higher-end tenants.

Chairperson LeGore opened the floor to those who had registered to submit public comments.

Phil Carlson, 6696 Wolf Hollow Road, is in opposition to the application. He backs up to the project. It is an important concept that the town mix multi-family with single-family. The town just has to make sure that it is done right. This is a very large building. He was concerned about the perimeter privacy and lighting. There will be two-story homes that will be looking down on this. Landscaping and berming must be considered in addition to the demographics of this area. It is close to a school, and there will be a lot of kids. There needs to be a playground so that the kids are not funneling down to Wolf Hollow. What is the history of the developer?

Craig Frank responded he has been in real estate for over 25 years mainly in the Dane County market. He has developed over \$80 million in product. He has not managed his own properties for 20 years, so he is working with professional people. The construction will be a high-end product.

Lighting plans were shown. Mr. Stopples stated that lighting codes are huge. Lights cannot shine on the neighbors.

Mr. Frank indicated they are limited to dark-sky lighting LED which is very high efficiency. There will be no spillage near road lines.

Vehicle lights were discussed. Some plantings are being proposed to reduce impact.

Mr. Frank discussed playground equipment. The type of tenant that they would have does not have the family unit that they would expect. The school would not be a major draw.

Town Attorney Anderson responded regarding requirements for parks. There are no requirements for parks in the site plan. The town cannot require the developer to put in a park. There are requirements for parkland in Wolf Hollow. Town Attorney Anderson described the other parks. There is a concern for parkland, and it is addressed in the plat's overall requirements.

Attorney Mitchell R. Olson was in opposition to the project. He was at the meeting a year ago and represents an owner of a duplex. His client has serious concerns about the density. Headlights will shine into his client's duplex. There needs to be additional landscaping and fencing. People from the multi-family will be walking by his client's duplex to get to the park. The big unit is too much for this project in this area. They need to get something more fit to scale.

Greg Goke, 4320 Grosbeak Glen, was neutral regarding the project. Why are there now no fences? His bedroom windows are on the second floor. With no berm or fence, it will be in his windows. The elevation of this lot is at one of the highest spots in this area. He is not sure the multi-family fits the look of the neighborhood. He had concerns regarding the on-site management or will the management be on-call? He had a question regarding the emergency access lane and the quality of that access lane.

Don Hoffman, 4307 Grosbeak Glen, had a question regarding the road from North Towne and the detention ponds.

Town Engineer Richardson responded that there will be more on this in the next phase. Water leaves the site to the southwest.

Troy MacDonald, 4321 Grosbeak Glen, opposed the application due to its massive scale. There is a need for multi-family space. He wants it done right. He had concerns about the density. Windsor should not be forced to comply with a 15-year old plat by another municipality. The 42-unit building is too massive.

Town Engineer Richardson indicated with regard to the park that the town is working with the developer. There is some difficulty because this is environmentally sensitive land. The town has been working with a CSM and a swapped lot.

Asked what the park would look like, Town Planner Rybarczyk responded that there are no set plans.

Jack L. Fisher, 4325 Grosbeak Glen, opposed the application. He moved here seven years ago and is a licensed architect. His family is also a developer. He is not against development. What the developer is trying to do is an extremely difficult project. The scale is an issue. There is no matching scale in the community. There is a grade differential of 14-1/2 feet. Safety is a concern. It is completely out of scale. The project should be sent back to the developer.

Scott Erstad, 4328 Grosbeak Glen, was neutral. He is a new owner in Wolf Hollow. He had concerns about property value, privacy, drainage, and traffic congestion.

Commissioner Hoffman stated, when park space was being discussed, the need was based on the numbers with this development in place.

Town Attorney Anderson added that, in this particular plat, there is more open space than there was in its original design.

Two additional members of the audience submitted comments but did not speak at this time.

Linda Mishler, 6692 Wolf Hollow Road, stated that they just moved into their new home in Wolf Hollow. They were told that townhomes were going to be built on Lot 97 which is very different from the plans now for the 60-unit building. She highly disagreed with this building on the back end of their higher-end single homes. The cosmetic look and parking issues are a huge problem. It will lower their house value and create crowding to their local, small park. This does not compliment their neighborhood. Windsor is peaceful, but what is being proposed will disrupt that.

Cassie Hess, 6704 Wolf Hollow Road, stated she moved to Wolf Hollow three years ago with her two daughters. She chose Wolf Hollow because it was a quiet, safe place to raise her girls. Her concerns with this new develop are the size of the complex compared to the existing residential units. The three-unit complex is reasonable, but the apartment complex is going to cause the development to be overcrowded, a lot of noise, and traffic. The duplex she lives in backs into this development. Vehicle headlights coming into this development will shine into her living room and bedroom windows. The emergency access road also runs within feet of her living room and patio doors. The volume of traffic (people, kids, and bikes) going through the emergency access road past her window is going to be outrageous.

Commissioner Eichinger said he appreciated all of the comments.

Commissioner Trotter asked whether the handout was the final design.

The response was, "yes."

It was brought up that the stone and brick is not actual stone or brick.

Mr. Frank responded that this appearance is as comparable to any stone product.

Commissioner Trotter indicated this looked like it was out of 1974 for the large building. It is not very attractive.

Mr. Frank indicated there has been an extensive market study done on this project. It is a project that the Windsor market doesn't have.

Mr. Stopple hoped to be able to allow pets. They have to screen for the right pet and the right person. No aggressive breeds will be allowed.

There was a question regarding fencing. Mr. Frank responded that he thought they were mixing projects. There are no fences now because at the meeting last summer there were no negative responses to this site plan. With the last site plan, there was a fence. That was when there was a 25-foot south setback. Now it is 40 feet. Now they have a berm a good distance from the buildings.

Commissioner Heisig discussed the size and scope of the landscaping. From day one it has to be operational, not in five or ten years. He questioned foot traffic and movement of people coming out of the development.

Mr. Frank indicated he wanted people to utilize the pedestrian path.

Chairperson LeGore had a couple of observations. The Plan Commission first saw this in 2014. There was a large site-plan review a year ago. The same elements are at this meeting as last year. One of his questions concerned the emergency access. How is the developer going to stop traffic from making this path a traffic pattern?

Mr. Frank responded that he and Town Engineer Richardson have discussed this. There could be towers that collapse or a gate. This path would be for pedestrians or emergency access. This should be able to be addressed with signs.

Town Engineer Richardson indicated the town would look into this. No motorized vehicles would be allowed. The town deputies would be advised that this is for pedestrian traffic and emergency access only. The developer has agreed to put in a heavier base and wider asphalt to accommodate heavier vehicles.

The path system through the area was discussed.

Chairperson LeGore asked how people will be kept from using this access as a shortcut.

Mr. Stopple stated there will be cameras to keep track of who is violating this access. There will be cameras both inside the buildings and outside.

Chairperson LeGore asked how trash collection is serviced.

Mr. Frank responded that, if it can be accessed, it will be hauled out by the trash company. Otherwise it will be wheeled out of the building. There will be curbside trash collection for the three-units, the same as for a private residence.

Chairperson LeGore questioned fencing.

Mr. Frank responded that they did not focus on the perimeter of the lot with the amount of greenspace.

Chairperson LeGore suggested having screening around the border area.

Mr. Frank responded he was agreeable to looking at additional plantings. Fencing is not out of the question, but it is not the preferred method of screening.

Chairperson LeGore asked for the town staff's comments to the screening.

Town Planner Rybarczyk responded that the setbacks of the buildings were changed. There is an earth berm and landscaping.

Headlight comments can be taken into consideration.

Town Engineer Richardson added that the Plan Commission is within its rights to consider landscaping.

Mr. Frank indicated he was willing to work with the landscaping element.

Commissioner Trotter had several comments/observations. When discussing Bear Tree, we were told there would be no changes to Windsor Road because the current traffic evidence shows there is no need at this time – so no action would be taken to improve the road to accommodate and future larger volumes of traffic.

Then later in the meeting, the Plan Commission was discussing the potential incompatibility a large multi-family unit might have on the current Wolf Hollow neighborhood. But the staff stated that in the future the multi-family unit would be compatible with the future Windsor Crossing development that would include more multi-family units.

Commissioner Trotter's comment/observation is that the town is being inconsistent with its planning where these two Windsor neighborhoods are concerned.

Chairperson LeGore stated that the Plan Commission had before it a Resolution.

Commissioner Eichinger would like to see a section drawing that shows the buildings, road, etc., -- a transect. He would like an eye-view.

Mr. Frank responded that this was shown at the neighborhood meeting.

Commissioner Eichinger indicated this is a technical issue. It is not a matter of density. It is a matter of what is happening beyond the side of the building and the side of the smaller building. The northern part of the lot needs a creative solution.

A motion was made by Commissioner Hoffman, to approve Plan Resolution 2015-09 Recommending Approval Of The Site Plan For Lot 97 Of The Plat Of Wolf Hollow In The Town Of Windsor, Dane County, Wisconsin [CF Investments, LLC; Craig Frank] with the comments and landscaping and screening being revisited. A copy of these Minutes will be provided to the Town Board for review prior to further action and with a specific request that issues relating to landscaping and screening be addressed and that a transept be provided to the Town Board. Commissioner Eichinger added that there is general approval of the southern part of the plat, but there is disagreement with the northern part of the plat. The motion was seconded by Commissioner Eichinger.

Linda Mishler added that this does not compliment her neighborhood. It is too large. They were told that this would be townhouses.

Roll call vote:

Commissioner Trotter	Yes
Commissioner Davis	Abstain
Commissioner Heisig	Yes
Commissioner Eichinger	Yes
Commissioner Hoffman	Yes
Commissioner Gaustad	Yes
Chairperson LeGore	Yes

The motion carried with six in favor and one abstention.

12. Staff Announcements.

There were none.

13. Adjournment.

At 8:50 p.m., a motion was made by Commissioner Eichinger, seconded by Commissioner Heisig, to adjourn the Plan Commission meeting. Motion carried with a 7-0 vote.

Respectfully submitted,



Ellen G. Teed
Recording Secretary