

Approved 4.7.2016

VILLAGE OF WINDSOR
SPECIAL BOARD MEETING

Minutes

February 25, 2016

1. Call Meeting To Order And Roll Call.

Meeting convened by President Wipperfurth at 5:00 p.m. Trustees present: Don Madelung, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Trustee Alan Buchner had an excused absence. Others present: Village Director of Finance/Deputy Clerk Tina Butteris, Village Attorney Connie Anderson, Village Planner Rybarczyk, and Village Engineer Richardson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Trustee Stravinski.

3. Announcements.

None.

4. Appearances Before The Board.

None.

5. Resolution 2016-16 Kenworth Sign Permit And Site Plan Review.

A staff report was provided by Village Planner Rybarczyk. Several months ago, Kenworth was before the Village Board for site plan approval. They did not have their signs finalized at that time. They are now coming back before the Village Board for approval of the signs. Village Planner Rybarczyk explained the numbering on the signs. The village broke down the application as to the more substantial signs. Proposed were three wall signs, three directory signs on the premises, three off-premises directory signs, and a pylon sign. A minor modification was made to the site plan. Kenworth plans to use the parking that adjoins I-90/94 as a display area for 24 semi-tractors. This is a minor change to the site plan.

Village Planner Rybarczyk went through the details of the individual signs and the location of the signs and the renderings. The three wall signs will be single-faced illuminated signs that represent the Kenworth logo. Windsor is still deferring to Dane County regarding the sign

ordinance. Signs are sized according to the speed limit on the road. Signs 2, 3, and 4 are consistent with the ordinance regarding square footage and height.

Sign 13 is an illuminated double-faced sign. Sign 15 is a non-illuminated single-faced sign. Sign 17 is located along the east parcel line. All three provide naming and directional information. All three signs are consistent with the Dane County ordinance.

Sign 14 is an off-premises directory sign. It is illuminated and double-faced. It is located on Outlot 1 at the intersection of CV and Kenworth Drive. The outlot is owned by the village of Windsor and is used for stormwater management and wetland preservation.

Sign 16 is the pylon sign. It is illuminated and double-faced. It can be erected up to 150 feet.

The policy concern is that Sign 14 is an off-premises sign, but it is located on land owned by the village. The Board needs to determine if the installation of Sign 14 at that location meets the intent of the outlot. The Plan Commission did not discuss whether or not it could be on Outlot 1. The Plan Commission discussed the aesthetics of the sign.

Village Planner Rybarczyk noted that Windsor has received an additional sign rendering to add “Windsor, WI” to Sign 13.

Village Attorney Anderson wanted to make sure that the Village Board reviewed all five conditions in the Resolution. The first condition was that the proposed signs are constructed in accordance with the plans and specifications identified in Exhibit A of the staff report.

The second condition was that “Windsor, WI” be added to Sign 13, as evidenced by the new rendering provided.

The third condition is regarding the location of Sign 13 on the property owned by the village. If the Village Board approves this Resolution at its meeting, there will be an agreement that indicates that this sign can go there because it does not interfere with the use of the property and that Kenworth will take care of the maintenance of that lot. That obligation would run with the land.

Condition 4 is regarding the location of the semis. Windsor understands that this is something that is a slight adjustment to the site plan. Windsor would like to have the DOT provide a letter indicating that it does not object to this change.

Condition 5 requires the petitioner to reimburse the village for all costs and expenses incurred for the review and approval of this request.

Village Engineer Richardson commented that the placement of the sign in Outlot 1 will not affect stormwater management. Kenworth is a party to the agreement for maintenance of that basin. The sign will not be a problem for stormwater.

Kenworth representatives advised that the cost of this project is approximately \$17 million. Kenworth currently has 65 employees, with that number to increase by 30 to 35 percent.

Trustee Madelung questioned whether having electrical running out to Sign 14 would be an issue.

Village Engineer Richardson responded that there is enough high and dry land in the right-of-way.

Trustee Madelung asked about the wind capacity of the sign.

Bill Rupp of LaCrosse Sign Company indicated there could be issues in a tornado. They are made of steel and aluminum. The actual sign is a heavy-duty banner material.

Trustee Smith was pleased that Kenworth is in Windsor and decided to expand. She asked about sign maintenance.

Kenworth representatives indicated they do not have a plan in place. Kenworth has guidelines for each franchise that they have to live up to.

Trustee Smith also had a question regarding the light from the signs. Would it impede upon the residential areas?

Mr. Rupp responded that they do not foresee that problem. There will be no glaring. There will be a glowing aspect in the face of the sign.

Trustee Stravinski asked whether the petitioner needed permits from the state or county for any of the signs.

The answer was “no.”

President Wipperfurth echoed Trustee Smith’s comments regarding expanding the business. This is a class project and a well-run business.

A motion was made by Trustee Smith, seconded by Trustee Stravinski, to approve Resolution 2016-16 Approval Of Site Plan And Signage For Kenworth Truck Facility. Motion carried with a 4-0 vote.

6. Resolution 2016-17 Windsor Elementary School Site Plan Review.

A staff report was provided by Village Planner Rybarczyk. The DeForest Area School District is proposing improvements to the Windsor Elementary School. They would like to start construction the end of March with a completion date 15 months thereafter.

The proposal includes a building expansion to the north and east, interior improvements to the existing building, demolition of the southwest corner of the existing building, improving the parking layout and additional parking, and an additional vehicular access off of Windsor Road for separate bus and parent drop-offs. There will be connections to the neighborhood paths and an improved playground.

The Plan Commission reviewed this in January. Since then, the Village President has been working with the School Superintendent regarding increased traffic on Windsor Road. The renovations are well within the setbacks. The plans show 211 parking spaces, which exceeds Windsor's requirements. The utilities are running across the west property line. The village ordinances require landscape buffers in the parking lots and along the foundation of the building. They meet the requirements of the village. Lighting will not exceed 0.5 footcandles at the property lines. High-quality building materials will be used: primarily brick, fiber cement panels, and glass. The composition and color scheme meet Windsor's design standards.

They have done a lot regarding vehicular traffic. The bus-traffic area has been redesigned. They did a great job with sidewalks and connections to existing paths. A new path will be created that will connect to the sidewalk on Windsor Road by the roundabouts.

The traffic pattern and new entrance were shown, in addition to the trail system. The path between the two houses will be removed. The path will go to Cradle Hill. The future playground will be much larger.

The stormwater pond is at the north end of the site. They will add a fence around the playground so that no one wanders into the pond.

Village Engineer Richardson indicated that the stormwater management plan has not been fully fleshed out. There needs to be coordination with the connections for the sewer and water.

Village Planner Rybarczyk stated that the school is zoned A-3. All schools are a conditional use in all districts. Windsor would amend the conditional use permit to reflect the new drawings.

President Wipperfurth brought up the hours of construction. Windsor may need to grant a variance for 7:00 a.m. to 7:00 p.m., Monday through Friday.

President Wipperfurth indicated another issue concerned items 12 and 13 of the staff report. During the Plan Commission meeting, there were a number of residents who asked if it was appropriate to put this amount of traffic on Windsor Road and whether it would be better to put that traffic on North Towne Road. There were discussions with Dr. Borden regarding having a traffic impact study done and sharing the costs. President Wipperfurth asked the Village Board members whether they thought it was important that the Board revisit this after the school is built—maybe after a year of monitoring the traffic. Windsor should look at this in a long-term perspective.

Dr. Borden responded that traffic is at its highest 30 minutes before school and 30 minutes after school. Staff is arriving. School is in session half of the days of the year. The students do not drive. The school is a small part of the traffic. The parking area should be able to stack 75 cars if they are stationary. It seems like it is a Windsor issue and that the school is not the primary contributor. She also noted that the bus parking area was widened by six feet so busses can angle park.

Trustee Smith had a question regarding stormwater management.

Village Engineer Richardson responded there is a pond.

Trustee Smith said that makes her nervous. Can there be something put over the pond?

Village Engineer Richardson answered that typically stormwater ponds are not fenced. When cutting the grass and other maintenance, the fence is in the way.

A School District representative said this will be a wet pond. He explained about the pond and its safety measures. There is a safety shelf around the perimeter of the pond.

Trustee Smith asked how many children walk to school.

Dr. Borden stated Wolf Hollow and Prairie Creek have walking busses. There are a lot of bike riders.

Trustee Smith asked how many special events does the school hold that would increase traffic.

Dr. Borden responded five or six a year. She feels that they have done more than enough regarding parking. This will be one of the largest parking lots for an elementary school in the state.

Trustee Stravinski said he had the construction plans and they show the drive connection to North Towne Road and it says future drive connection.

Dr. Borden thought this was a dreaming level. Maybe there could be a land lease agreement in the future for 10 to 15 years for T-ball fields and a small kids' athletic field.

Trustee Stravinski thought that this connection has been the expectation all along that the road connection would be built. It was not just a concept, but it would be built sometime in the future.

If there is no traffic problem, there would be no need for a traffic study.

How can we put that in so it can happen? Trustee Stravinski would like to see it under Item 8 and put it into the development agreement as to how we are going to do that if there is a problem. He felt the village needed to have this in writing. After everything is finished, they can take a look in two years.

Dr. Borden agreed with Trustee Stravinski. The District would be willing to put in writing that it would be willing to do that in good faith.

President Wipperfurth stated a traffic study could be done to determine whose traffic it is.

Village Attorney Anderson had nothing to add. The parties need to keep talking to see if there is a solution. Both the village and the school would have an impact study done if there are complaints from parents or the police.

President Wipperfurth asked Dr. Borden if she had authority from the School Board to bring this to fruition so Windsor can grant approval.

Dr. Borden responded that it depended where it goes. If there is a road, she would have to go to the School Board on that. A traffic study could be in the range she could work with.

Regarding construction hours, Dr. Borden indicated that they would not start before 7:00 a.m. In the summer when there is more light, the hours may be extended beyond 7:00 p.m.

A motion was made by President Wipperfurth, seconded by Trustee Smith, to defer action on this until the meeting on March 3 pending further dialogue with the School District. Motion carried with a 4-0 vote.

7. Resolution 2016-18 JSD And Forward Development Group Request A Certified Survey Map To Reconfigure Lots In The Southeast Corner Of Windsor Road And North Towne Road.

Village Planner Rybarczyk gave a presentation. Both the Plan Commission and the Village Board have seen the conceptual plan. Before the Village Board for its review and discussion and action are two CSMs and a preliminary plat. The CSMs will service the lands for a mixture of commercial, senior housing, multi-family, and conservancy.

There have been numerous staff and developer meetings to work through the issues on the property. Exhibit 6 is part of the DeForest-Windsor Cooperative Agreement. They need to have a 65/35 split for the units that are south of the conservancy. The development has changed since Windsor did the Windsor Crossing Master Plan. As part of the incorporation of Windsor, there are a lot of changes in documents, such as the Comprehensive Plan. The replat of the single-family lot sizes of 11,000 square feet are within the boundary limits of the design guidelines. Windsor is in the process of amending the Comprehensive Plan.

Residents of Wolf Hollow thought that the concept plan was what was going to be developed. That will all have to go through the site plan process. They are looking at the lot sizes they are creating and minimum square footage of houses regarding front yard and side yard setbacks.

Typically, the front yard setback is 30 feet; they are requesting 25 feet. Side yard setbacks range from 10 to 15 feet. They are requesting 8 feet.

There may be a use for a special district that would be created for this development and infill in the village. There may be a need for smaller lot sizes and setbacks. Windsor's land surveyor has looked at the CSMs and replat. All of his concerns have been addressed.

Village Engineer Richardson had engineering comments. Windsor does not have a final stormwater management plan. Otherwise, there really isn't anything at this time. There are the same number of access points. This will be traffic calming.

Village Attorney Anderson went through one of the resolutions in detail. There is unusual ownership. The petitioner has put together these documents. The responsibility of meeting the legal requirements stays with the petitioner. It is the developer's responsibility. Forward Development Group is acting on behalf of the Community Development Authority. Petitioner shall comply with the conditions set forth in the Village Board Staff Report. There is a developer, but there are not actual sales of the project. A final condition of approval required prior to Windsor's execution of the CSM is that petitioner and the CDA shall establish a phasing plan for the purchase and buildout of the subject land and amend the purchase agreement by and between the petitioner and CDA accordingly. Windsor needs to know what part of the property is going to be purchased when. Windsor wants this to be ready for closing at the end of April. There will be a purchase agreement in place. When this is submitted, there is an acknowledgment and acceptance of these requirements. It is important that the CSMs get recorded. The village will get documents in hard copy and electronic format. Time is of the essence. There has to be a rezone application submitted which will be under village zoning.

President Wipperfurth mentioned park fees. Village Attorney Anderson responded that park fees would be based on the replat.

Trustee Stravinski noted that it states on the single-family there will be a development agreement. Will there be a development agreement with the other two?

Village Attorney Anderson indicated there would be a purchase agreement with options to buy additional land. There would be requirements in the purchase agreement and site plan review.

Ron Henshue added that the CSMs are laying the ground work to proceed.

Village Engineer Richardson noted, as a point of clarification, if Windsor had somebody who bought the whole lot then there does not need to be a development agreement because there is existing water and sewer and stormwater management.

Mr. Henshue said they were just getting started on marketing the development.

President Wipperfurth added there is a lot going on here from the petitioner's perspective and Windsor's perspective. Staff is under a great deal of pressure trying to put this together.

Windsor is trying to meet the April date and is eager to know which properties the petitioner is purchasing.

Mr. Henshue showed phasing for the residential and the multi-family lots. They would like to begin construction on July 1 and September 2 for the multi-family buildings. He indicated he was going to review updated plans by the end of February 26.

Village Attorney Anderson discussed the replat. She went through the technical requirements. It was incorrectly written. The cash payment to the village of Windsor for the initial improvement of park land shall be made on a phase-by-phase basis. The approval and recording of the final plat are the usual things one sees. Paragraph 11 pertains to amenities. The petitioners' obligations shall survive the recording of the replat.

Trustee Smith commended the petitioner for coming forward with this project. She appreciated the fact that they were moving forward with the multi-family first.

Street B referred to in paragraph 11 is actually North Towne Court.

A motion was made by Trustee Smith, seconded by Trustee Madelung, to approve Resolution 2016-18 Approval Of Certified Survey Map To Reconfigure Lots In Southeast Corner Of Windsor Road And North Towne Road. Motion carried with a 4-0 vote.

8. Resolution 2016-19 JSD And Forward Development Group Request A Certified Survey Map To Reconfigure Lots In The Southwest Corner Of Windsor Road And North Towne Road.

A motion was made by Trustee Stravinski, seconded by Trustee Smith, to approve Resolution 2016-19 Approval Of Certified Survey Map To Reconfigure Lots In Southwest Corner Of Windsor Road And North Towne Road. Motion carried with a 4-0 vote.

9. Resolution 2016-20 JSD And Forward Development Group Request A Replat Of The Windsor Crossing Residential Plat Generally Located South Of Windsor Road And West Of North Towne Road And South Of The Existing Stormwater Ponds. The Proposal Includes 74 Single Family Lots.

A motion was made by Trustee Smith, seconded by Trustee Madelung, to approve Resolution 2016-20 Approval Of Replat For Single Family Residential Plat In Windsor Crossing South Of Existing Stormwater Ponds with two changes: regarding payment of park fees and recognizing the actual street name of North Towne Court. Motion carried with a 4-0 vote.

10. Resolution 2016-21 Rename Great Bridge Court To Great Bridge Drive In The Plat Of Revere Trails.

President Wipperfurth indicated the Village Board would be deferring this item. Village Attorney Anderson explained that because Windsor was used to being a town, and now that Windsor is a village, there are different statutes that apply. Windsor was not sure of who from Revere Trails would sign off on this.

Village Planner Rybarczyk explained why Windsor is doing this. The village of DeForest has approved Phase 1 of Fox Hills Estates to the south of the Bear Tree development and the east of Bear Tree Parkway. Great Bridge Drive will go through Phases 1, 2, and 3 and tie into Revere Trailing making our portion of Great Bridge Court no longer a court. Now is the better time to do this. Residents would have to go through street name changes on driver's licenses, etc., if done in the future.

This will be on an upcoming agenda.

11. Ordinance 2016-06 Proposal And Adoption Of Chapter 25 Of The Windsor Code Of Ordinances. An Ordinance Regulating Development In Mapped Floodplains And Adoption Of Floodplain Maps (FIRM's) For The Village Of Windsor.

Village Planner Rybarczyk provided a staff report. As part of the incorporation process, Windsor was contacted early-on that, with its village status, it would have to start regulating and enforcing its floodplains. Windsor reached out to the DNR, and it provided a floodplains template that meets the requirements. Windsor modified the sections of the ordinance to meet its standards. This will allow residents to get floodplain insurance. Without a floodplain ordinance, one cannot get floodplain insurance. This follows the statutory provisions. Windsor has only 800 acres that would be subject to the floodplain ordinance.

A motion was made by Trustee Madelung, seconded by Trustee Smith, to approve Ordinance 2016-06 Adoption Of Floodplain Ordinance, Chapter 25, Windsor Code Of Ordinances. Motion carried with a 4-0 vote.

12. Introduction And Review Of Draft Residential Zoning Matrix.

Village Planner Rybarczyk explained this is the next leg in the zoning code. The village is now looking at the residential section. Windsor will be taking the best of both worlds from the ordinances from Dane County and Sun Prairie to meld into a new ordinance for the village of Windsor. Staff wanted to present a matrix before it starts writing each of the districts. There was a good debate at the Plan Commission meeting. The matrix was revised using track changes.

They started out with 10 or 11 residential districts from Dane County and Sun Prairie. They were condensed down to make the most sense for Windsor. There are four single-family residential districts: R-1 through R-4. District R-1 is standard, consisting of 12,000 square feet and a 100-foot lot frontage. Districts R-2 and R-3 are smaller districts that are existing lots. These would be for urban Windsor and Morrisonville. These are the districts that will govern those existing lots but may be used in new development going forward. District R-4 is the newly-created district for the Windsor Crossing development. It provides reduced front and side yard setbacks. The developer wants to be able to build a fairly decent-sized house. The Plan Commission asked what happens if a homeowner needs to get equipment in the backyard for landscaping and an eight-foot side yard is not enough. There will be 16 feet between houses, and hopefully the homeowners will have a good relationship with their neighbors. Some people may do a smaller house and have a 10-foot set back on each side. There may be some existing areas in Windsor in which that flexibility would work.

The multi-family was condensed to two districts: MF-2 and MF-3. They would stay with the 12,000 square foot baseline and build from there. A duplex in MF-2 would require 14,000 square feet. A single-family home would require a minimum lot size of 14,000 square feet. This carries over to MF-3.

The remaining two districts are ER Estate Residential and CR Countryside Residential. These are for unsewered lots. They are very similar except one cannot have animals in ER Estate Residential.

Districts R-1 through MF-3 are sewerred lots. Districts ER and CR are unsewered areas.

There has been a request that staff take into consideration zero lot lines where someone wants to sell duplex units to individual tenants. There are a lot of agreements and potential hassles with zero lot lines. Village Attorney Anderson said there is a level of monitoring of these agreements, preparation, and recording before financing so there is no issue in the event of foreclosure. They will raise financing issues. She urged the Village Board to consider this with caution.

Village Planner Rybarczyk indicated that, in moving forward, the actual language will be brought before the Plan Commission and Village Board on March 24, with an adoption date of March 29. On April 19 the Village Board will do the blanket rezones of the residential districts.

Trustee Stravinski asked about the lot sizes in Revere Trails and Schroeder Fields.

Village Planner Rybarczyk replied that they are okay.

President Wipperfurth provided meeting reminders: March 1: Park Commission; March 3: Village Board; March 24 and 29: Joint Plan Commission and Village Board; and April 19: Joint Plan Commission and Village Board. There will be no meeting on March 17.

13. Adjournment.

At 7:20 p.m., a motion was made by Trustee Smith, seconded by Trustee Madelung, to adjourn the meeting. Motion carried with a 4-0 vote.

Respectfully submitted,

A handwritten signature in black ink that reads "Ellen G. Teed". The signature is written in a cursive style with a large, sweeping initial "E".

Ellen G. Teed
Recording Secretary