

VILLAGE OF WINDSOR

JOINT MEETING OF THE VILLAGE BOARD AND PLAN COMMISSION

Minutes

July 27, 2016

1. Call Meeting To Order And Roll Call.

- a. The Village Board meeting convened by President Wipperfurth at 5:00 p.m. All Trustees were present, except Trustee Buchner, who had an excused absence.
- b. The Plan Commission meeting was convened by Chairperson Wipperfurth at 5:00 p.m. All Commissioners were present, except Commissioners Davis and Eichinger who had excused absences.

Others present: Village Clerk Christine Capstran, Village Planning and Development Coordinator Amy Anderson Schweppe, Village Attorney Connie Anderson, Village Planner Jamie Rybarczyk, and Village Engineer Kevin Richardson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Commissioner Gaustad.

3. Minutes From February 22, 2016, and June 21, 2016.

A motion was made by Commissioner Gaustad, seconded by Commissioner Hoffman, to approve the Minutes of February 22, 2016, and June 21, 2016, as presented. Motion carried with a 5-0 vote.

4. Announcements.

- a. Public Hearing For An Ordinance Amendments To Chapter 52 (Zoning) Of The Windsor Code Of Ordinances For Planned Unit Development District And Procedures; Governmental And Institutional District; And General Provisions.
- b. Public Hearing For Proposed Blanket Rezones And Amendments To The Village Of Windsor Zoning Map For The Rezone Of Existing Ag-35AC District Property To An Appropriate Adopted Zoning District and Other Remaining Non-Conforming Zoning Parcels.
- c. Public Hearing For An Ordinance Amendment To Chapter 38 (Planning And Development) Of The Windsor Code Of Ordinances For Processes Of Plan

Commission And Village Board Action; Standards For Lot Frontage; And Standards For Lot Shape.

President Wipperfurth read the above announcements.

5. Appearances.

There were no appearances.

6. Ordinance Amendment To Chapter 52 (Zoning) Of The Windsor Code Of Ordinances For Planned Unit Development District And Procedures; Governmental And Institutional District; And General Provisions.

a. Public Hearing.

President Wipperfurth opened the public hearing at 5:03 p.m.

A staff report was provided by Village Planner Rybarczyk. Before the members were the last of the revisions for Chapter 52, the Zoning Ordinance, with the exception of mineral extraction. This incorporates the general provisions and regulations that Windsor has been using. Zoning from Sun Prairie and Dane County has been combined. A Planned Unit District was created. Also created was the Government and Institutional zoning district for churches, schools, cemeteries, etc. This had been presented conceptually to the joint Board and Plan Commission last month.

Village Planner Rybarczyk went through some of the provisions. Agricultural buildings will be governed by county, state, and federal regulation. Pylon signs and billboard signs were discussed. Two different regulations were created for pylon signs.

Off-street parking for commercial and recreational vehicles in residential districts was addressed.

Staff looked at non-conforming structures.

Village Planner Rybarczyk discussed the keeping of fowl, as several property owners have indicated they would like to do this.

Page 65 discusses the application process and review procedure for a PUD.

Trustee Smith stated that she thought that the Village Board had voted down domestic fowl down. She is not in favor of it and sees this as a problem.

Trustee Stravinski asked, in the event that this is passed, does Windsor do another blanket rezone for all government and institutional properties.

JOINT MEETING OF THE VILLAGE BOARD AND PLAN COMMISSION, 7/27/16

Village Planner Rybarczyk responded that right now these areas are identified by an asterisk. The Recycling Center and the School District property surrounding the Big Hill have been rezoned Government and Institutional.

Commissioner Hoffman had a question regarding several definitions concerning agriculture and crops in connection with signs. Village Planner Rybarczyk pointed out the definitions.

Travis Hunter, 4014 Leonard Road, asked whether this was on the village's website.

It will be added to the village's website but is not yet there.

President Wipperfurth closed the public hearing at 5:22 p.m.

b. Action Item / Plan Commission Resolution 2016-24.

A motion was made by Commissioner LeGore, seconded by Commissioner Gaustad, to approve Resolution 2016-24 Recommending Adoption Of Amendments To The Windsor Code Of Ordinances for Chapter 52 – Zoning Districts – Create Districts For Planned Unit Development, Government And Institutional; Amend Certain General Provisions. Motion carried with a 5-0 vote.

c. Action Item / Village Board Ordinance 2016-18.

A motion was made by Trustee Madelung, seconded by Trustee Stravinski, to approve Ordinance 2016-18, Adoption Of Amendments To The Windsor Code Of Ordinances For Chapter 52 – Zoning Districts – Create Districts For Planned Unit Development, Government And Institutional; Amend Certain General Provisions. It was again noted that Trustee Smith did not agree with the fowl portion of Chapter 52. Motion carried with a 4-0 vote.

7. Blanket Rezones And Amendments To The Village Of Windsor Zoning Map For The Rezone Of Existing Ag-35AC District Property To An Appropriate Adopted Zoning District and Other Remaining Non-Conforming Zoning Parcels.

a. Public Hearing.

President Wipperfurth opened the public hearing at 5:24 p.m.

Mark Clarke, 7600 Conifer Court, addressed the Village Board and Plan Commission. He owns the largest parcel of land – seven acres. It is being proposed that his property be rezoned from A-1 to Estate Residential. He questioned why his property was not being rezoned Countryside Residential as are others in the area. He would like to have a horse, which is not allowed in Estate Residential but is allowed in Countryside Residential.

Village Planner Rybarczyk explained that the Village is going through and creating new zoning districts for the Village. Several parcels that were zoned either Exclusive Ag through

JOINT MEETING OF THE VILLAGE BOARD AND PLAN COMMISSION, 7/27/16

Dane County or Ag-35 through the city of Sun Prairie are being rezoned. Those parcels were outside of the Farmland Preservation Area. They were nonconforming because they were less than 35 acres and had to be rezoned. The properties north of Windsor Road went to Estate Residential, or they could have been rezoned to Countryside Residential. Estate Residential does not allow animal units, while Countryside Residential does.

Village Planner Rybarczyk showed Mr. Clarke's property on the overhead map.

Director of Planning and Development Anderson Schweppe asked if there were any covenants that would apply. She had no objection to changing it to Countryside Residential.

Mr. Clarke responded that he had read the covenants and did not see any reference to animal units. He would like one or two horses.

Village Planner Rybarczyk felt it would be nice to have the Plan Commission and Village Board make a recommendation to change the zoning based on a review of the covenants.

Bud Yngsdahl, 6906 County Highway C, asked what this meant for him. He owns five acres north of Windsor Road.

Village Planner Rybarczyk responded that this had been zoned Ag-25 in Sun Prairie. Windsor has rezoned the property to a comparable Ag district. It is now conforming based on lot size.

Trustee Stravinski asked whether the other lots in the area should also be rezoned to Countryside Residential.

Village Planner Rybarczyk responded that this is the only request received by the Village.

President Wipperfurth's suggestion was to just rezone only this lot. It might be unwise to rezone all of the lots Countryside Residential.

President Wipperfurth closed the public hearing at 5:38 p.m.

b. Action Item / Plan Commission Resolution 2016-25.

A motion was made by Commissioner Gaustad, seconded by Commissioner Stravinski, to approve Resolution 2016-25, Recommending Adoption Of Blanket Rezones For Property In Agricultural 35 Acres Zoning Districts And Nonconforming Properties In The Village Of Windsor on the condition that Mark Clarke's property is rezoned to Countryside Residential subject to review and verification of the covenants. Motion carried with a 5-0 vote.

c. Action Item / Village Board Ordinance 2016-19.

A motion was made by Trustee Smith, seconded by Trustee Madelung, to approve Ordinance 2016-19, Adoption Of Blanket Rezones For Property In Agricultural 35 Acres Zoning Districts And Nonconforming Properties In The Village Of Windsor on the condition that Mark Clarke's

property is rezoned to Countryside Residential subject to review and verification of the covenants. Motion carried with a 4-0 vote.

8. Amendments To Chapter 38 (Planning And Development) Of The Windsor Code Of Ordinances For Process Of Plan Commission And Village Board Action; Standards For Lot Frontage; And Standards For Lot Shape.

a. Public Hearing.

President Wipperfurth opened the public hearing at 5:40 p.m.

Village Planner Rybarczyk stated that these are two simple amendments regarding lot frontage and lot shape. Windsor's prior land division ordinance was silent in these two areas.

Road frontage for a lot in a cul du sac will be 30 feet, while lot frontage on a public street will be 60 feet. Lot shape shall be rectangular at a 2:1 ratio, except for cul du sac lots. No flag lots will be allowed.

President Wipperfurth closed the public hearing at 5:43 p.m.

b. Action Item / Plan Commission Resolution 2016-26.

A motion was made by Commissioner Hoffman, seconded by Commissioner LeGore, to approve Resolution 2016-26 Recommending Adoption Of Amendments To The Windsor Code Of Ordinances For Chapter 38 Regarding Village Board And Plan Commission Processes, Standards For Lot Frontage And Standards For Lot Shapes. Motion carried with a 5-0 vote.

c. Action Item / Village Board Ordinance 2016-20.

A motion was made by Trustee Smith, seconded by Trustee Stravinski, to approve Ordinance 2016-20, Adoption Of Amendments To The Windsor Code Of Ordinances For Chapter 38 Regarding Village Board And Plan Commission Processes, Standards For Lot Frontage And Standards For Lot Shapes. Motion carried with a 4-0 vote.

9. Site Plan Review For Expansion Of Commercial Building At 6592 Lake Road (Century Center).

President Wipperfurth noted that there were two action items and two registered speakers: One for the applicant and one is a neighbor.

Village Planner Rybarczyk advised that the petitioner wishes to construct an office and bus facility off of Lake Road, 55 feet by 90 feet in size. There will be offices, a dispatch area, restrooms, and a service area. There will be off-street parking for 28 buses and 39 automobiles. The off-street parking for the buses would be gravel, while the off-street parking area for the

automobiles would be asphalt. The property was originally approved for a multi-tenant office space. Based on zoning, no more than 60 percent of the lot may be covered with buildings. As proposed, only 5 percent would be covered.

Per Windsor's zoning ordinance, all parking areas are to be paved with asphalt, concrete, etc. Is the proposed gravel acceptable, or should it be asphalt? One canopy tree is required for each ten parking spaces. They exceed this. Architectural renderings have been provided. This is a unique site. It is far removed from Lake Road. It will not have visibility off of Lake Road. The Plan Commission and Village Board should take into consideration the use of the building whether they think it meets the intent of the ordinance. Village Planner Rybarczyk stated he has not seen a lighting plan and would like to see that plan.

Village Engineer Richardson advised that there was a plan that was more intensive for the property that was submitted in 2006. The village does not want oil getting into the storm water.

Paul Nooyen, speaking on behalf of Century Center, LLC, said this has been modeled after other buildings. They have been working with village staff and Kobussen. They will clean and service buses and not do heavy maintenance.

President Wipperfurth indicated he has seen bus companies come and go in the last 20 years. Will they be staying here because of the School District?

Mr. Nooyen responded yes. The facility is designed for 29 buses and will probably not have that many. It is set up for 34 employees. Propane fuel will be used. They were approved by Dane County for a shoreline permit.

Trustee Smith was concerned about traffic density with these buses.

Trustee Stravinski stated he felt this would fit in really well. He drove over to the proposed area earlier in the day and thought that more screening would be needed between it and the apartment building.

They were not planning on fencing it in and were agreeable to using some brick or stone on the front. Earth-tone colors will be used. They will be replacing the existing driveway. There will be 34,000 square feet of gravel. The remainder will be grass and pavement.

It was noted that diesel fueling over gravel could be a problem. President Wipperfurth stated this could be approved with propane fuel storage. If the petitioner does a change of fuel, it would have to come before the village. No diesel or gasoline would be allowed on the site.

Trustee Stravinski stated he would like to see no outside storage other than buses.

Trustee Smith was concerned about the gravel. She was not in favor of gravel. She would like to see it paved.

Dale Hughes, 4503 Maple Lane, showed where he accesses Lake Road. His concerns are vehicular traffic and safety. He sent correspondence to Pam Dunphy in 2013 and read a portion of that correspondence. There are insufficient stopping distances on CV. From 6:30 a.m. to 8:30 a.m., the traffic exceeds the speed limit. He discussed having a traffic study. His concerns were vehicle safety and safety of Windsor's citizens when they travel this road.

President Wipperfurth added that he and Village Engineer Richardson will be meeting with Dane County. Dane County is looking at resurfacing CV. That will be their opportunity to talk with Dane County about safety improvements along this corridor.

Mr. Nooyen said this has always been planned for this traffic from this spot. This is part of something that has been established.

Trustee Smith added that this road is highly used and it is very dark in the winter time. There needs to be more lighting.

President Wipperfurth indicated that typically the county only pays for the road. The village has to pay for the enhancements. These are some of the ramifications of growth in the area. All comments will be taken under advisement. They will be talking with the county about safety.

Discussion followed regarding blacktopping the parking lot. Trustee Smith was in favor of blacktop. Trustee Stravinski had no opinion at this time, as this would be an added cost to the applicant and it is gravel at this time.

Village Engineer Richardson added that the county considers a gravel parking lot the same as an impervious surface. Windsor's ordinance was not in effect when this application was previously approved.

Commissioner Hoffman personally does not have difficulty with gravel. The buses will not be traveling fast. She did not see that it would cause a lot of dust.

There will be plug-ins for bus heaters.

President Wipperfurth said snowplowing on gravel could be a problem.

It would be \$75,000 to pave this. It is not feasible at this time.

Commissioner LeGore would prefer asphalt. He would like additional screening.

Trustee Madelung asked about the location of the gravel and the possibility of installing a light. As long as the front portion is asphalt and the back is gravel, it is okay. He would like dust to be kept at a minimum.

President Wipperfurth indicated he would prefer asphalt but did not want to mandate it. From a general appearance and maintenance perspective, it gives the impression that it is highly-kept. He indicated that they could go back and resurface with asphalt.

Trustee Stravinski addressed Mr. Hughes' comments. This property was already zoned commercial. There are a lot of other options that could create more traffic. They are reviewing the site plan at this meeting. There are a lot of other options that would create a lot more traffic. He would prefer blacktop, but is okay with gravel at this time.

Village Planner Rybarczyk noted the following:

- Additional screening between the proposed facility and the apartment buildings to the west.
- A stone face on the west side of the office that faces the apartments.
- The conversion or change of the propane fuel to either gasoline or diesel would need village approval.
- There cannot be gasoline or diesel fueling on the site.
- No outside storage other than buses.
- If the gravel becomes a nuisance as far as dust, the village may require the applicant to come back to revisit the asphalt.

Discussion on landscaping followed. The petitioner indicated they could come up with plantings that would be more solid. More mature plantings could be specified. Did Windsor prefer to see a fence? There is a small berm. The apartments are higher.

Commissioner LeGore discussed lighting.

Village Engineer Richardson took photographs showing the existing vegetation which were shown. In the morning, one would see lights. At night, there will not be any lights seen.

The applicant has had no interaction with people living in the apartments.

Trustee Stravinski stated he would like to see 4-foot plantings.

Commissioner Hoffman said starting with something small would have a better rate of survival.

Trustee Smith noted that her neighbors planted six-foot arborvitae, and they grew just fine. Personally she thought one could put six-foot plantings side-by-side and they will grow together. They should grow to 10 to 12-feet tall.

Trustee Madelung referenced the five-foot elevation change. He would like to see thick plantings. Maybe they are dictating too much to the developers when there is not a big issue about it.

Trustee Smith would prefer a 12-foot wall. If arborvitae is going to be planted, it should be a decent size.

JOINT MEETING OF THE VILLAGE BOARD AND PLAN COMMISSION, 7/27/16

President Wipperfurth said a two-foot difference is not going to make much of a difference. A five-foot planting is substantial if they can be interspersed with something else.

Mr. Nooyan understood that the whole purpose of the plantings was to shield the view. He was okay with five feet.

Village Engineer Richardson indicated that plantings four to six feet high were shown on the Internet. They will grow four to five feet wide and 12 feet tall. They grow nine inches a year.

Village Attorney Anderson stated that the Resolution would be brought back for signature.

President Wipperfurth said the Resolution could be passed as presented, with the language just discussed.

a. Action Item / Plan Commission Resolution 2016-27.

A motion was made by Commissioner Stravinski, seconded by Commissioner Hoffman, to approve Resolution 2016-27 Recommending Approval Of Site Plan For Century Center LLC [Site: 6592 Lake Road; Century Center Condo Unit #2]. Motion carried with a 5-0 vote.

b. Action Item / Village Board Resolution 2016-104.

A motion was made by Trustee Madelung, seconded by President Wipperfurth, to approve Resolution 2016-104, Recommending Approval Of Site Plan for Century Center LLC [Site: 6592 Lake Road; Century Center Condo Unit #2]. Motion carried with a 4-0 vote.

10. Adjournment Of The Windsor Plan Commission.

At 6:50 p.m., a motion was made by Commissioner LeGore, seconded by Commissioner Gaustad, to adjourn the Plan Commission meeting. Motion carried with a 5-0 vote.

11. Update On Windsor Crossing And Approval Of An Extension To The Purchase Agreements And Closing Documents.

Village Attorney Anderson advised that there had been a lot of progress with respect to Windsor Crossing in the last couple of days. They are actively moving forward. Financing has been approved. The intention is to close prior to the end of the month. Copies of the documents have been provided extending the purchase through August 31. If the title issues that exist on the CSM to the west of North Towne Road are not addressed, the village would like the buyer to purchase the same square footage to the east. Windsor would approve the extension through August 31, and this will allow Village Attorney Anderson to go back to the purchaser. This is a very complicated piece of property. Village Attorney Anderson explained Exhibit 2. They are trying to remove B from the plat and then the CSM would include A, B, and E.

Village Attorney Anderson would like the Village Board's approval of the documents.

President Wipperfurth gave an update on the meeting on Tuesday. FDG has been working on obtaining final financing to put the first phase in the terms of the agreement. The meeting was very productive.

Trustee Smith expressed her appreciation to everyone for all of their hard work: Village Planner Rybarczyk, Village Attorney Anderson, and Village Planning and Development Coordinator Schweppe. She is grateful that Windsor has such a qualified staff. Trustee Madelung echoed Trustee Smith's comments.

A motion was made by Trustee Madelung, seconded by Trustee Smith, to acknowledge the updates and approve an amendment to extend the closing dates for residential, multi-family and commercial, provided that, if title issues within CSM West are not cleared prior to the closing date, the commercial property to be conveyed will be amended to include the same number of square feet as in the Second Amendment, but all such property shall be located in CSM East. All references to the Town of Windsor shall be changed to Village of Windsor. The Affidavit, Removal Instrument for Area B and Removal Instrument for Area C are approved as presented. The Village Attorney and Director of Planning and Development shall continue their efforts with Dane County to record the Affidavit and Removal Instrument for Area B, record the Removal Instrument for Area C, CSM East and Multifamily CSM, and record the Alliant Energy and MG&E releases and Final Single-Family Plat. Motion carried with a 4-0 vote.

12. Adjournment Of The Windsor Village Board.

At 7:05 p.m., a motion was made by Trustee Smith, seconded by Trustee Madelung, to adjourn the Village Board meeting. Motion carried with a 4-0 vote.

Respectfully submitted,



Ellen G. Teed  
Recording Secretary