

Approved
10-18-2016

VILLAGE OF WINDSOR
PLAN COMMISSION MEETING

Minutes

September 20, 2016

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Commissioners present: Al Davis, Dave Gaustad, Kay Hoffman, Bill LeGore, and Bob Wipperfurth. Commissioners Barry Eichinger and Bruce Stravinski had excused absences.

Others present: Planning and Development Coordinator Amy Anderson Schweppe, Village Attorney Connie Anderson (arrived at 5:12 p.m.), Village Planner Jamie Rybarczyk, and Village Engineer Kevin Richardson.

2. Recitation Of The Pledge Of Allegiance.

The Pledge of Allegiance was led by Commissioner Hoffman.

3. Minutes From August 23, 2016.

A motion was made by Commissioner LeGore, seconded by Commissioner Gaustad, to approve the Minutes of August 23, 2016, as presented. Motion carried with a 5-0 vote.

4. Announcements.

- a. A Public Hearing Will Be Held To Consider Comments On the Proposed Rezone Of Lot 2 Of The Windsor Corners Plat From C-1 (Limited Commercial Zoning District) To MF-3 (Multiple Family Residential Zoning District).

Chairperson Wipperfurth read the above announcement.

5. Appearances.

None.

6. Applicant Jewell And Associates, Representing Neesvig's At 4350 Duraform Lane, In The Village Of Windsor Requests A Variance From Windsor's Zoning Code Of Ordinances For The Purpose Of Expansion Into The Setback For The Purpose Of Constructing Ground Mounted Refrigeration Equipment. Plan Commission Resolution 2016-29.

Director of Planning and Development Anderson Schweppe provided an update. When Neesvig's came forward, it had not determined where it would be placing its equipment. After further review and going out to the site, Neesvig's decided it wanted to place the equipment on the eastern side of the building and would need a variance. Notices to property owners were sent out. It was later determined that Duraform Lane should be used for purposes of determining setbacks. It was, therefore, the opinion of staff that a variance was not needed. The variance request was withdrawn.

7. Applicant Windsor Associates, LTD Requests A Rezone Of Lot 2 Of The Windsor Corners Plat From C-1 (Limited Commercial Zoning District) To MF-3 (Multiple Family Residential Zoning District). The Property Is Located At The Southwest Intersection Of Windsor Road And Traveler Trail, In The Village Of Windsor.

- a. Public Hearing.

Chairperson Wipperfurth opened the public hearing at 5:07 p.m.

The applicant was present. A general overview of what the petitioner is requesting was given by Village Planner Rybarczyk. Petitioner is requesting a rezone of Lot 2 of Windsor Corners from C-1, Limited Commercial District, to MF-3, Multiple Family Residential. As staff reviewed the application and had some internal discussions, it identified several potential concerns with the application that they would like the Plan Commission to discuss at its meeting. This matter will be rescheduled for next month.

Petitioner is asking for discussion and action on a four-unit residential condominium. This would be the third building in the area that the petitioner has constructed. Petitioner would be requesting a rezone from C-1 Commercial to MF-3 Multi-Family Residential. Under Windsor's ordinances, all new commercial development requires a site plan review. What is being requested is a four-unit condominium building on Lot 2 of Windsor Corners, with two units on the ground floor and two units on the second floor. There would be two-car garages, three bedrooms, two bathrooms, a living room, dining room, kitchen, and utility area. The exterior would match Units 1 and 2. This would be accessed off of Traveler Trail. Petitioner is proposing a three- to four-foot earth berm with trees to screen from Traveler Trail and Windsor Road. There have been some issues to date with trash pickup for the units that are there. As part of this development, the petitioner would put in a trash dumpster and recycling for the entire development. Additional guest parking would be added. There would be a 16-unit postal station.

Staff had a series of comments. The neighborhood is mixed use. Under zoning, the lot is zoned C-1. Multi-family can be developed as a commercial use in the C-1 district. The petitioner is requesting a rezone from C-1 to MF-3, which allows for multi-family. This would be a permitted use in this district. As part of the rezone, this would have to be evaluated by the Plan Commission and Village Board. With a rezone, there is no inherent right to a conditional use permit. A 15-foot internal setback would be required. A vision triangle would be needed for the private drive going out to Traveler Trail.

Village Engineer Richardson had a concern with the berm and storm water. It now goes out to the street and passes through Cardinal Woods. He would like to see a storm water plan to see how storm water would be handled on that corner.

Multi-Family dwellings shall not exceed four stories in height, shall have a minimum lot width of 100 feet, and shall have a minimum lot area of 18,000 square feet, with a setback of 63 feet from the centerline of Windsor Road and Traveler Trail or 30 feet from the right-of-way lines, whichever is greater.

Per the village's Comprehensive Plan, this area is envisioned as retail or office use of a smaller scale, complementary to the surrounding neighborhood. Lots 2 and 23 are identified as C-1 zoned with restrictions on the type of prohibited commercial uses. Lots 1 and 3 are limited to a maximum combined density of no more than 12 dwelling units. It was the intent that there be only 12 units.

The village recently submitted a Dane BUILD Grant Application for the Windsor Road Redevelopment Plan that will study the existing infrastructure, multi-modal transportation, opportunities for redevelopment, and bolstering of the neighborhood commercial. A determination on whether the application is granted should be made in about a month.

It was staff's recommendation, prior to the Plan Commission taking action on the rezone of the site plan, to have a discussion regarding the use of this lot regarding Windsor's Comprehensive Plan and current zoning ordinances and the original declarations, restrictions, and covenants that were approved at the time when the development was approved.

Director of Planning and Development Anderson Schweppe added that she has received some calls regarding traffic congestion at the intersection.

Chairperson Wipperfurth felt the village should follow up on the BUILD grant application. It is important that Windsor take a bigger look at this entire area. When this was approved, the densities were negotiated. Windsor understands that it is hard to site commercial in this region, but that should not be a reason to rezone this to a different use. Windsor needs to see if the grant is approved.

Chairperson Wipperfurth also indicated that the back of the building needs to be up-scaled.

Is this a suitable use for this property?

Commissioner LeGore echoed Chairperson Wipperfurth's comments. Looking at the Comprehensive Plan, there should be consideration given to more commercial in that corridor. This is one opportunity to consider commercial along that corridor. Peppino's has taken root and can help foster more development. It is worth it to take a pause to look at all options.

Commissioner Hoffman could see where it is consistent because of the buildings that are already there, and that would be the next best use.

Where does Windsor want to see its new downtown? At Windsor Crossing?

Chairperson Wipperfurth added that the Community Development Authority has looked at the Windsor Road corridor for some time, and this is a project that the CDA will be taking up.

Commissioner Hoffman thought that increased traffic would be a wash whether it was a four-unit condominium or commercial.

Petitioner Greg Iverson stated that C-1 is already set up for multi-family with a conditional use. Did he need to have it rezoned?

Chairperson Wipperfurth responded "not necessarily," but a conditional use permit would be needed.

Mr. Iverson stated if there was an office building on Lot 2 the renters would outgrow it. With a commercial building, there would be more in-and-out traffic. It is hard to rent small lots. They are outgrown, and the renters move on.

Mr. Iverson felt Windsor should start with blighted buildings and go from there. This property is too small for commercial.

Commissioner LeGore asked, assuming going forward with the residential, whether the recycling would be opened up to Cardinal Woods. Mr. Iverson responded "yes," as well as the mailboxes.

Chairperson Wipperfurth closed the public hearing at 5:35 p.m.

b. Action Item / Plan Commission Resolution 2016-30.

It was felt that the village needed a direction. Staff is content with running this idea past the Village Board and CDA to get their long-term focus.

Commissioner LeGore said he sees both sides. He is inclined to think Windsor has an opportunity to look at some additional development on the commercial site. He was inclined to proceed with further review by the CDA and Village Board, with multi-family as a secondary way to go.

The other Plan Commission members agreed.

Chairperson Wipperfurth indicated this will be on the next Village Board and CDA meeting agendas.

Issues for thought included storm water with the proposed berm, and the architecture for Phase 3 will not be able to use the same architecture as Phases 1 and 2.

No action was taken.

8. Windsor Associates, LTD Requests Site Plan Approval For A 4-Unit Multi-Family Building At The Southwest Intersection Of Windsor Road And Traveler Trail, In The Village Of Windsor. Plan Commission Resolution 2016-31.

No action will be taken until it is determined what the best use of the property will be.

9. Discussion Of Potential Amendments To The Windsor Code Of Ordinances Regarding Non-Metallic Mineral Extraction Procedures And Zoning.

Chairperson Wipperfurth stated that, at the last meeting, there was extensive discussion on amendments. There is nothing to add at this time in that the village staff and attorney were busy with other time-sensitive issues. Their focus can now be brought back to mineral extraction ordinances.

Village Planner Rybarczyk gave a brief summary. The town ordinance was administered through the city of Sun Prairie. Now Sun Prairie does not have extraterritorial jurisdiction over Windsor, and Windsor's ordinance is no longer valid. So much has changed within the industry that Windsor's ordinance is no longer a valid tool for Windsor. It is no longer a one-size-fits-all.

10. Consider Change To Plan Commission Regular Meeting Date And Time.

Chairperson Wipperfurth proposed continuing with Plan Commission meetings on the third Tuesday of the month, but changing the meeting to time 5:00 p.m. The CDA used to have meetings prior to the Plan Commission meetings. That is no longer happening. Chairperson Wipperfurth felt that the Plan Commission makes better decisions earlier in the evening.

Commissioner Gaustad was looking forward to the earlier time.

Commission Hoffman was concerned that people coming from work may have to make special accommodations to make a 5:00 p.m. meeting.

Chairperson Wipperfurth felt that was a valid concern. However, if there is something important happening early in the meeting, people do make arrangements to attend.

A motion was made by Commissioner Davis, seconded by Commissioner LeGore, to support having Plan Commission meetings on the third Tuesday of the month beginning at 5:00 p.m. Motion carried with a 5-0 vote.

Chairperson Wipperfurth stated that any controversial items could be put at the end of the agenda.

11. Adjournment.

At 5:52 p.m., a motion was made by Commissioner Gaustad, seconded by Commissioner Hoffman, to adjourn the Plan Commission meeting. Motion carried with a 5-0 vote.

Respectfully submitted,

Ellen G. Teed

Ellen G. Teed
Recording Secretary