

**VILLAGE OF WINDSOR
ORDINANCE 2020-01**

**APPROVAL OF A REZONE FOR PROPERTY LOCATED ON LOTS 19-27, 32-40 AND
67-72 OF THE PLAT OF PLEASANT HILL ESTATES, VILLAGE OF WINDSOR**

WHEREAS, Kevin Acker, d/b/a Pleasant Hill Estates, LLC (the “Petitioner”) has requested approval of a Rezone of Lots 19-27, 32-40, and 67-72 of the Plat of Pleasant Hill Estates (the “Subject Property”); and

WHEREAS, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner’s request and prepared a Staff Report dated February 28, 2020 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, the Plan Commission held a public hearing regarding the request on January 9, 2020 and recommended approval of the Rezone request in Plan Commission Resolution 2020-01; and

WHEREAS, following review of information presented at the Plan Commission meeting, the public hearing, and the Staff Report, the Village Board approves the Rezone request, subject to the conditions specified in the Staff Report and as set forth herein.

NOW, THEREFORE, the Village Board of the Village of Windsor, Dane County, Wisconsin do ordain as follows:

SECTION ONE: The Windsor Code of Ordinances is hereby amended to Rezone Lots 19-27, 32-40, and 67-72 of the Plat of Pleasant Hill Estates as follows and subject to the following conditions:

1. Lots 19-27, 32-40, and 70-72 of the Plat of Pleasant Hill Estates shall be rezoned from R-3, Single Family Residential District to R-4, Single Family Residential District.
2. Lots 67-69 of the Plat of Pleasant Hill Estates shall be rezoned from MF-2, Two-Family Residential District to R-4, Single Family Residential District.
3. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the rezone request, including, but not limited to, the cost of professional services incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
4. The Village of Windsor Board’s approval of the rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary.

SECTION TWO: This Ordinance shall become effective upon passage and publication as provided by law.

The above and foregoing Ordinance was duly adopted at a meeting of the Village Board of the Village of Windsor held on March 05, 2020, by a vote of 4 in favor and 0 opposed.

VILLAGE OF WINDSOR

Robert E. Wipperfurth
Robert E. Wipperfurth, Village President

Attested by:

Christine Capstran
Christine Capstran, Village Clerk

Published: March 12, 2020

Effective: March 13, 2020

INCORPORATED BY REFERENCE:

Staff Report
Petitioner Application
Plan Commission Resolution 2020-01



To: Village of Windsor Board
Cc: Robert Wipperfurth, Tina Butteris, William Cole, Jerry Groth
From: Amy Anderson Schweppe, Jamie Rybarczyk
Rpt Date: February 28, 2020
Mtg Date: March 5, 2020
Submtl Date: January 17, 2020
Aprvl Date: April 16, 2020
Re: Pleasant Hill Estates - Rezone Request

BACKGROUND:

Petitioner: Kevin Acker (dba Pleasant Hill Estates, LLC)
Property Owner: Kevin Acker (dba Pleasant Hill Estates, LLC)
Location / Address: See Exhibit A
Taxkey Number: See Exhibit A
Area: See Exhibit A
Existing Zoning: See Exhibit A
Proposed Zoning: See Exhibit A
Future Land Use: Mixed Residential

REQUEST:

The Petitioner requests two rezones for lots in the Pleasant Hill Estates plat:

- Rezone of Lots 19-27, 32-40 and 70-72 from R-3, Single Family Residential District to the R-4, Single Family Residential District; and
- Rezone of Lots 67-69 from MF-2, Two-Family Residential District to R-4, Single Family Residential District.

See Exhibit D for additional information regarding the Petitioner's request.

OVERVIEW:

The requested Rezone of Lots 19-27, 32-40 and 70-72 will allow home builders the ability to provide a larger footprint for the principal residential structure, as well as, offer a broader selection of housing styles, potentially meeting a demand in the market. The R-3, Single Family Residential District requires a front yard setback of 30 feet, side yard setback of 10 feet, and a rear yard setback of 25 feet. The R-4, Single Family Residential District requires a front yard

setback of 25 feet, a side yard setback of 8 feet, and a rear yard setback of 25 feet. The requested Rezone is consistent with the lots in Phases I and II of the Plat of Pleasant Hill Estates.

The requested Rezone of Lots 67-69 will provide for a uniform housing style of single-family residences along most of Vista Valley.

VILLAGE STAFF COMMENTS:

The Planning, Zoning and Development Department provides the Village Board with the following **planning, zoning and development** comment(s):

Village of Windsor Code of Ordinances: Chapter 52 Zoning Districts

1. The proposed Rezone application is consistent with intent of the R-4, Single Family Residential District.

Village of Windsor Comprehensive Plan: 2035

1. The proposed Rezone application is consistent with the intent of the Mixed Residential land use designation.

VILLAGE PLAN COMMISSION RECOMMENDATION:

On February 13, 2020 the Village Plan Commission recommended to the Village Board Approval of the Rezone request for Kevin Acker located on Lots 19-27, 32-40 and 67-72 of the Plat of Pleasant Hill Estates by Plan Commission Resolution 2020-01.

Exhibit E provides the unofficial meeting minutes for the Village Plan Commission regarding the Petitioner's request.

VILLAGE STAFF RECOMMENDATION:

Depending on confirmation by the Village of Windsor Board of the above described comments, the Village of Windsor Board may take the following action:

The Village of Windsor Board **Approves** of the Rezone request for Kevin Acker (dba Pleasant Hill Estates, LLC) located on Lots 19-27, 32-40, and 67-72 of the Plat of Pleasant Hill Estates, subject to the following conditions:

1. Lots 19-27, 32-40, and 70-72 of the Plat of Pleasant Hill Estates shall be rezoned from R-3, Single Family Residential District to R-4, Single Family Residential District.
2. Lots 67-69 of the Plat of Pleasant Hill Estates shall be rezoned from MF-2, Two-Family Residential District to R-4, Single Family Residential District.
3. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the rezone request, including, but not limited to, the cost of professional services incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
4. The Village of Windsor Board's approval of the rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty

(180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary.

EXHIBITS:

- A. Location / Address, Taxkey Number, Area
- B. Location Map
- C. 500 Ft Notice and Exhibit
- D. Petitioner Application
- E. Village Plan Commission Meeting Minutes (Unofficial) of February 13, 2020

Exhibit A – Location / Address, Taxkey Number, Area

Taxkey Number	Area	Lot Number	Existing Zoning	Proposed Zoning
196/0910-321-2199-0	0.279	19	R-3	R-4
196/0910-321-2210-0	0.239	20	R-3	R-4
196/0910-321-2221-0	0.239	21	R-3	R-4
196/0910-321-2232-0	0.239	22	R-3	R-4
196/0910-321-2243-0	0.239	23	R-3	R-4
196/0910-321-2254-0	0.239	24	R-3	R-4
196/0910-321-2265-0	0.239	25	R-3	R-4
196/0910-321-2276-0	0.239	26	R-3	R-4
196/0910-321-2287-0	0.287	27	R-3	R-4
196/0910-321-2342-0	0.233	32	R-3	R-4
196/0910-321-2353-0	0.233	33	R-3	R-4
196/0910-321-2364-0	0.246	34	R-3	R-4
196/0910-321-2375-0	0.421	35	R-3	R-4
196/0910-321-2386-0	0.425	36	R-3	R-4
196/0910-321-2397-0	0.609	37	R-3	R-4
196/0910-321-2408-0	0.246	38	R-3	R-4
196/0910-321-2419-0	0.233	39	R-3	R-4
196/0910-321-2430-0	0.233	40	R-3	R-4
196/0910-321-2727-0	0.424	67	MF-2	R-4
196/0910-321-2738-0	0.654	68	MF-2	R-4
196/0910-321-2749-0	0.424	69	MF-2	R-4
196/0910-321-2760-0	0.296	70	R-3	R-4
196/0910-321-2771-0	0.265	71	R-3	R-4
196/0910-321-2782-0	0.281	72	R-3	R-4

Exhibit B - Location Map

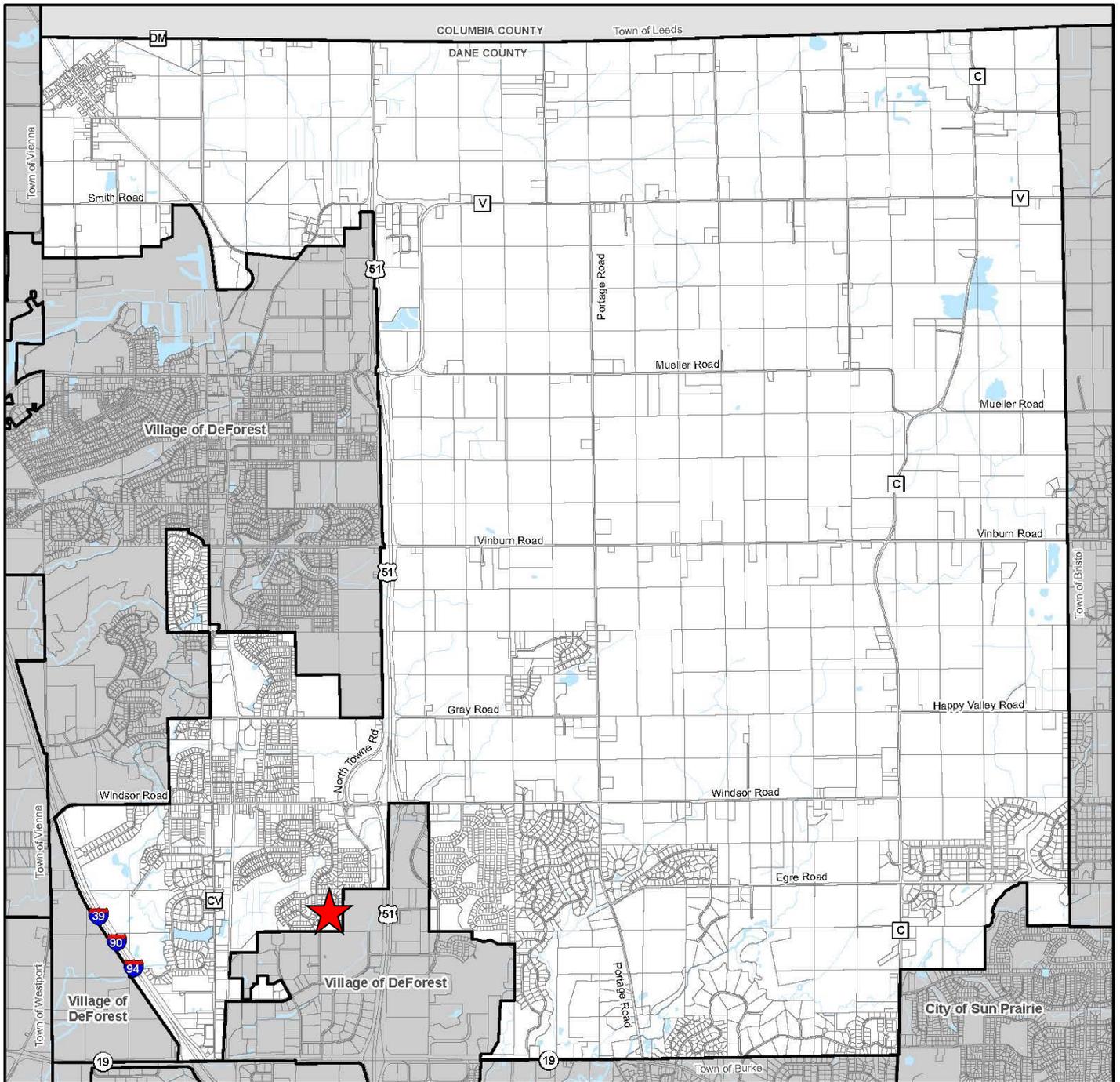
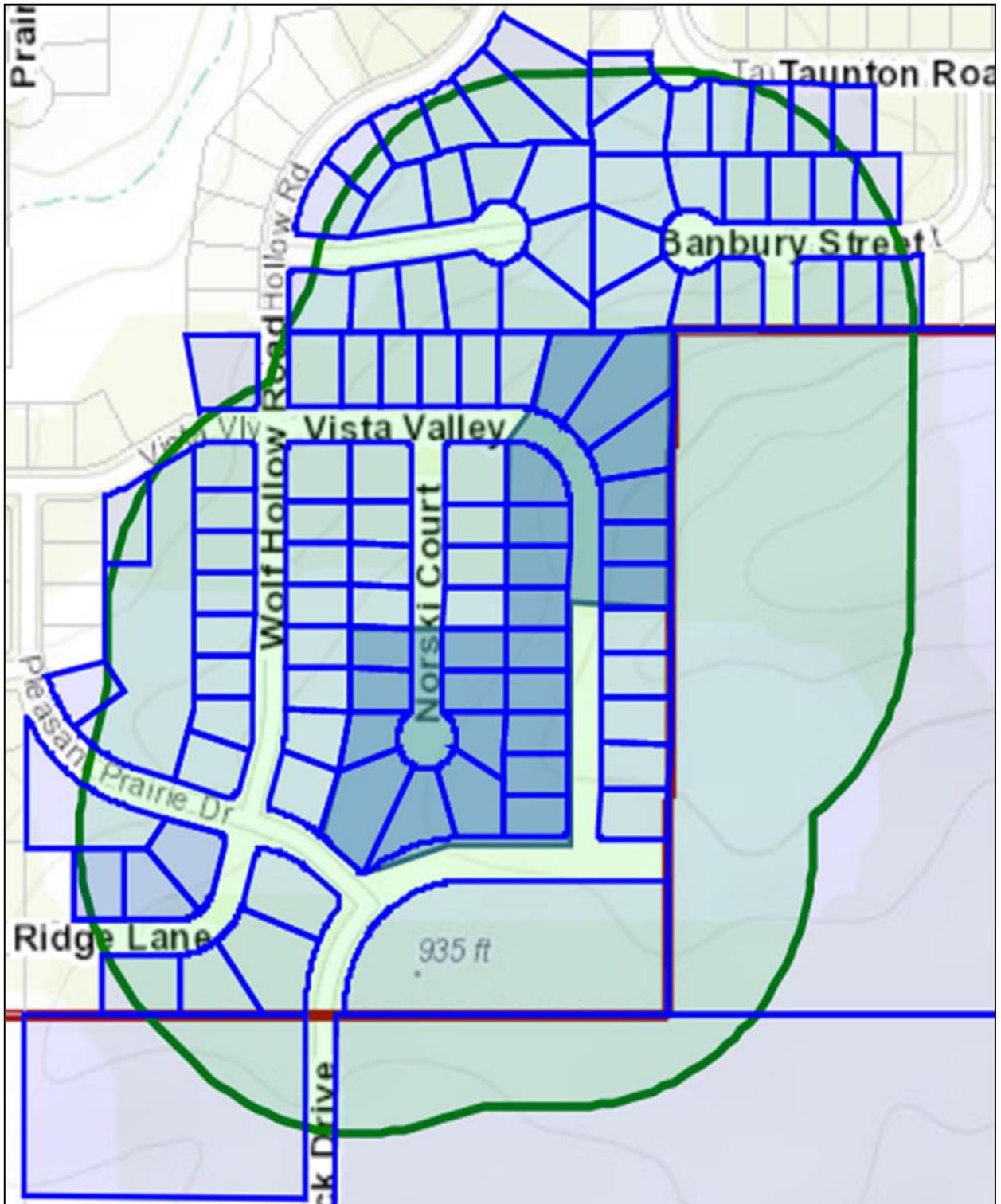


Exhibit C – 500 Ft Notice and Exhibit

Parcel	Name	Address	City, State, Zip	Duplicate
91032121110	TAYLOR S MADIGAN	102 N HOLIDAY DR	WAUNAKEE, WI 53597	*
91032121110	TAYLOR S MADIGAN	102 N HOLIDAY DR	WAUNAKEE, WI 53597	*
91032121770	KEVIN C ACKER & JEANETTE A ACKER	102 N HOLIDAY DR	WAUNAKEE, WI 53597	
91032122980	DAVID F LUECHT & CARA J LUECHT	1107 N PINE ST	SUN PRAIRIE, WI 53590	
91032193501	WINDSOR ENTERPRISES LLC	3699 KINSMAN BLVD	MADISON, WI 53704	
91032124740	WILIAM R JOHNSON & CONNIE J JOHNSON	3996 EMPIRE DR	DEFOREST, WI 53532	
91029476231	FRANK GREENAWALT	4034 TAUNTON RD	WINDSOR, WI 53598	
91029476341	ALAN T RUDISILL & JOLENE L RUDISILL	4036 TAUNTON RD	WINDSOR, WI 53598	
91029458501	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029458611	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029458721	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029474551	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029474661	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029474771	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029474991	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029475351	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029474881	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029475131	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029475241	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029475461	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91029475571	Current Owner	4084 MUELLER RD	DEFOREST, WI 53532	*
91032128760	WINDSOR, VILLAGE OF	4084 MUELLER RD	DEFOREST, WI 53532	*
91032129000	WINDSOR, VILLAGE OF	4084 MUELLER RD	DEFOREST, WI 53532	*
91029450890	Current Owner	4313 WELCOME HOME CT	WINDSOR, WI 53598	
91029451000	JASON M LEVY & CAROLYN E LEVY	4317 WELCOME HOME CT	WINDSOR, WI 53598	
91029451110	BRENT E KERSHNER & BRITNEY L SCHMITT	4321 WELCOME HOME CT	WINDSOR, WI 53598	
91029451220	Current Owner	4325 WELCOME HOME CT	WINDSOR, WI 53590	
91032121301	Current Owner	4342 EAGLE RDIGE LN	WINDSOR, WI 53598	
91032121321	MURRAY LIVING TR, KIRTLEY D	4344 EAGLE RIDGE LN	WINDSOR, WI 53598	
91032127160	MATTHEW FOSTER	4996 FELLAND RD	MADISON, WI 53718	
91032124410	ROBERT SCHALLER & DEA SCHALLER	6405 BRENDAN CIR	MCFARLAND, WI 53558	
91032125730	ANGELA M STUCKEY	6551 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125620	DARREN R SNYDER & LISA S SNYDER	6552 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125840	KYLE ADLER & SARAH ADLER	6557 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125510	KMV17 LLC	6558 WOLF HOLLOW RD	WAUNAKEE, WI 53597	
91032125950	Current Owner	6563 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125400	Current Owner	6564 WOLF HOLLOW RD	WINDSOR, WI 53532	
91032126060	JULIAN EDWARDS & JENNA EDWARDS	6569 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125290	MICHAEL J WALLACE & MICHELLE WALLACE	6570 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032125180	RON WRIGHT & KATHY WRIGHT	6576 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032124520	MARY JO DUSHACK & KYLE MATHEW KRESS	6577 NORSKI CT	WAUNAKEE, WI 53597	
91032126170	Current Owner	6577 WOLF HOLLOW RD	WINDSOR, WI 53532	
91032125070	CHRISTOPHER COTTON & LISA COTTON	6582 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032126280	DENNIS A PEDERSON & JULIE K PEDERSON	6583 WOLF HOLLOW RD	WAUNAKEE, WI 53597	
91032130580	RORY M SCHNEIDER & KRISTIN J DAVID SCHNEIDER	6586 WOLF HOLLOW RD	WINDSOR, WI 53532	
91032130690	MICHAEL NITKA & JENNIFER NITKA	6587 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032130470	KEITH A BARNES & MELISSA G BARNES	6592 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032130800	WILLIAM J MCGANN & LEANNE P MCGANN	6593 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032131480	Current Owner	6599 WOLF HOLLOW RD	WINDSOR, WI 53598	
91029450340	JEFFREY A KELLY & KRISTI L HARMS	6606 WOLF HOLLOW RD	WINDSOR, WI 53598	
91029450230	MATTHEW T KIEFER & AMANDA L KIEFER	6610 WOLF HOLLOW RD	WINDSOR, WI 53598	
91029450010	ERIC BROUNER & GRACE A CLARK	6618 WOLF HOLLOW RD	WINDSOR, WI 53598	
91032130250	JASON D KASTEN & MELANIE L KASTEN	6620 VISTA VALLEY	WINDSOR, WI 53598	
91032130910	ANDREW WOODMAN & KELLY WOODMAN	6637 VISTA VALLEY	WINDSOR, WI 53598	
91029458971	ENCORE HOMES INC	6840 SCHNEIDER RD	MIDDLETON, WI 53562	*
91029476451	ENCORE HOMES INC	6840 SCHNEIDER RD	MIDDLETON, WI 53562	*
91029476121	ENCORE HOMES INC	6840 SCHNEIDER RD	MIDDLETON, WI 53562	*
91032180011	PLEASANT HILL DEFOREST LLC	754 WESTBRIDGE TRL	WAUNAKEE, WI 53597	
91029450780	CHRISTOPHER J CAMPFIELD & CASSANDRA CAMPFIELD	APT 2 1710 DELAWARE DR	SUN PRAIRIE, WI 53590	
91032191851	PENSKE TRUCK LEASING CO LP	PO BOX 1321	READING, PA 19603	
91029458861	WINDSOR CROSSING LLC	STE 101A 161 HORIZON DR	VERONA, WI 53593	*
91029476011	WINDSOR CROSSING LLC	STE 101A 161 HORIZON DR	VERONA, WI 53593	*
91029450120	TIM OBRIEN HOMES OF MADISON LLC	STE 140 2601 CROSSROADS DR	MADISON, WI 53718	
91032121550	ANNA M MALY	STE 2 102 N HOLIDAY DR	WAUNAKEE, WI 53597	
91029449790	WOLF HOLLOW WINDSOR LLC	STE 200 N27W24075 PAUL CT	PEWAUKEE, WI 53072	*
91029449900	WOLF HOLLOW WINDSOR LLC	STE 200 N27W24075 PAUL CT	PEWAUKEE, WI 53072	*





January 17, 2020

Village of Windsor
Attn: Ms. Amy Anderson-Schweppe,
4084 Mueller Road
DeForest, WI 53532

Re: Pleasant Hill Estates – Rezoning Request for Phase 3

Dear Ms. Anderson – Schweppe,

On behalf of the Owner, Pleasant Hill Estates, LLC, we are submitting:

- One “Development Review Application” form,
- Two exhibits depicting the existing zoning and the re-zone request for lots within Phase 3

The owner intends to complete Phase 3 of the development in the spring and summer of 2020. Following the Plan Commission meeting on January 9, 2020 we have amended our initial development proposal for this phase to align with the comments received from the public and members of the Plan Commission. Specifically, we are proposing:

- the final phase be developed with the originally platted lot configuration;
- the current MF-2 zoning for lots 67, 68, and 69 be rezoned to R-4; and
- the current R-3 zoning on lots 19 through 27, 32 through 40 and 70 through 72 be rezoned to R-4.

The proposed changes will require simple adjustments to the engineering plans for the development (utility service relocations). We are in the process of completing construction plans for this Phase and will submit these documents to the Village shortly.

Should you have any questions please feel free to contact me.

Sincerely,



Timothy L. Schleeper, PE

Enclosure: Application, Exhibit

cc: Kevin Acker, Pleasant Hill Estates, LLC



Development Review Application
Acknowledgement of Understanding

The Petitioner, Property Owner, and Agent have reviewed and understand the Village of Windsor Code of Ordinances as it relates to the Development Review Application, Supplemental Information, and Technical Specifications required for the Development Review Request.

The Petitioner, Property Owner, and Agent understand that an Administrative Fee and Escrow Fee will be charged for review of the Development Review Request by the Village staff and professional consultants, and payment must be submitted with the Development Review Request.

Property Information	
Location / Address:	Phase 3 - Pleasant Hill Estates Plat - Existing Lot Rezoning
Taxkey Number:	Multiple, Lots 19 - 27, 32 - 40, 70 - 72
Area:	5.05 ac

Petitioner	
Name:	Pleasant Hill Estates, LLC, c/o Kevin Acker
Address:	102 N. Holiday Drive, #1
City, State, Zip Code:	Waunakee, WI 53597
Phone:	608-849-6770 Residence / Business / Cell
Email:	kevin@premierbuildersinc.com 608-576-7241
Signature:	

Property Owner	
Name:	same
Address:	
City, State, Zip Code:	
Phone:	Residence / Business / Cell
Email:	
Signature:	

Agent	
Name:	Vierbicher, c/o Timothy Schleeper, PE
Address:	999 Fourier Drive, Suite 201
City, State, Zip Code:	Madison, WI 53717
Phone:	608-821-3959 Residence / Business / Cell
Email:	tsch@vierbicher.com
Signature:	

Development Review Application

Development Review Request

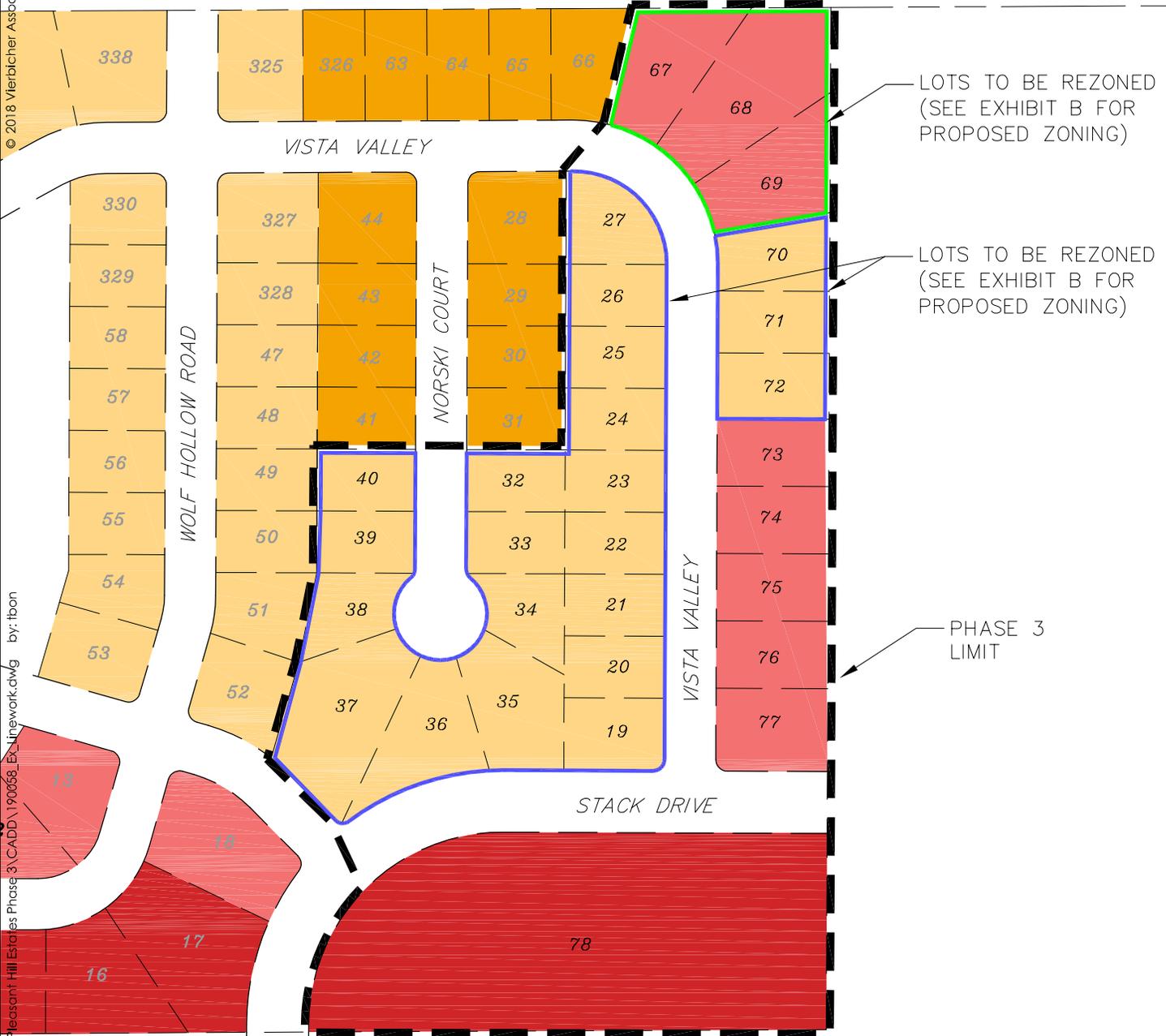
The Petitioner must submit one electronic file (PDF format) of the Development Review Application and Supplemental Application Information to the Director of Planning/Zoning Administrator at amy@windsorwi.gov no less than thirty (30) days prior to the Village of Windsor meeting. The Village Plan Commission typically meets the second Thursday of every month, the Village Board typically meets the first Thursday of every month, both at 5:00 p.m. at the Village Municipal Building, 4084 Mueller Road, DeForest, WI 53532.

Development Review Request	Application		
	Fee	Escrow (Min)	Escrow (Max)
<input type="checkbox"/> Comprehensive Plan Amendment	\$300	\$1,000	N/A
<input type="checkbox"/> Buildings and Building Regulations			
<input type="checkbox"/> Standard Site Plan Review	\$300	\$2,500	N/A
<input type="checkbox"/> Limited Site Plan Review	\$150	N/A	N/A
<input type="checkbox"/> Planning and Development			
<input type="checkbox"/> Concept Plan	\$150	N/A	N/A
<input type="checkbox"/> Preliminary Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Final Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Replat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Certified Survey Map (Two CSM's)	\$150	\$1,000/lot	\$5,000/lot
<input type="checkbox"/> Condominium Plat	\$300	\$1,000/lot	\$10,000/lot
<input checked="" type="checkbox"/> Zoning Districts			
<input checked="" type="checkbox"/> Zoning Map and/or Ordinance Amendment	\$150	\$1,000	N/A
<input type="checkbox"/> Conditional Use Permit	\$150	\$1,000	N/A
<input type="checkbox"/> Planned Unit Development	\$300	\$2,500	N/A
<input type="checkbox"/> Sign	\$100	N/A	N/A
<input type="checkbox"/> Zoning Variance	\$150	\$1,000	N/A
<input type="checkbox"/> Other	\$150	T.B.D.	T.B.D.

EXHIBIT A – EXISTING ZONING

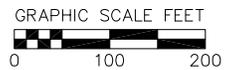
© 2018 Vierbicher Associates, Inc.

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ZONING LEGEND

R3	
R4	
MF-2	
MF-3	



vierbicher
planners | engineers | advisors



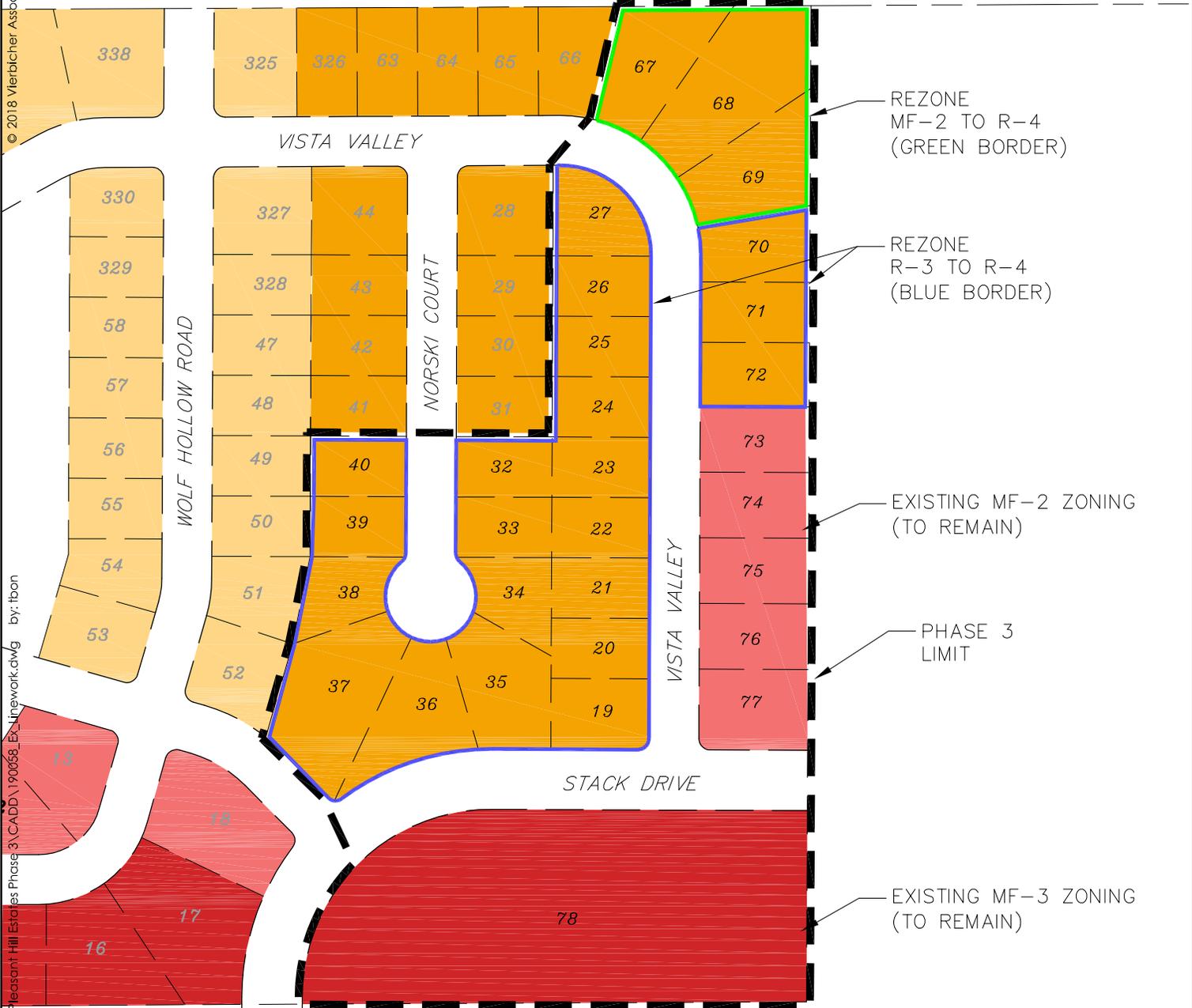
Phone: (800) 261-3898

REVISIONS	SCALE AS SHOWN	SHEET 1 OF 1
	CHECKED TSCH	
	DRAFTER DPER	
	FILE PHE PHASE 3	
JOB NO. 190058	DATE 01/17/2020	

EXHIBIT B – PROPOSED ZONING

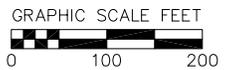
© 2018 Vierbicher Associates, Inc.

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ZONING LEGEND

R3	
R4	
MF-2	
MF-3	



vierbicher
planners | engineers | advisors



Phone: (800) 261-3898

REVISIONS	SCALE AS SHOWN	SHEET 1 OF 1
	CHECKED TSCH	
	DRAFTER DPER	
	FILE PHE PHASE 3	
JOB NO. 190058	DATE 01/17/2020	

VILLAGE OF WINDSOR
PLAN COMMISSION MEETING

Minutes

February 13, 2020

1. CALL MEETING TO ORDER AND ROLL CALL.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Commissioners present: Dave Gaustad, Jeff Heisig, Kay Hoffman, Tim Lange, Bill LeGore, Brad Mueller, and Bob Wipperfurth. Others present: Director of Planning and Development Amy Anderson Schweppe, Village Deputy Administrator/Director of Economic Development Jamie Rybarczyk, and Village Attorney Bill Cole.

2. RECITATION OF THE PLEDGE OF ALLEGIANCE.

The flag pledge was led by Commissioner Gaustad.

3. ANNOUNCEMENTS.

Chairperson Wipperfurth advised that the meeting needed to wrap up by 6:30 p.m. to allow Village Deputy Administrator/Director of Economic Development Rybarczyk and him to go to a public hearing for the urban service area for the school.

4. APPEARANCES BEFORE THE PLAN COMMISSION.

None.

5. MINUTES FROM JANUARY 9, 2020.

A motion was made by Commissioner Heisig, seconded by Commissioner Lange, to approve the Minutes of the January 9 meeting as presented. Motion carried with a 7-0 vote.

6. PUBLIC HEARING.

- 6.a. Kevin Acker, Representing Pleasant Hill Estates, Requests A Rezone Of Lots 19-27, 32-40, And 70-72 Of The Pleasant Hill Estates Plat From R-3 Single

Family Residential District To R-4 Single Family Residential District And A Rezone Of Lots 67-69 From MF- 2 Two-Family Residential District To R-4 Single Family Residential District.

Chairperson Wipperfurth opened the public hearing at 5:02 p.m.

He read in two letters that were received by the village. One was from Carolyn Levy of Tim O'Brien Homes. She was in support and approved of the proposed rezoning.

The second was from Anida Ho. She was even happier by the new proposal.

Director of Planning and Development Anderson Schweppe provided a status report.

Petitioner requests two rezones for lots in the Pleasant Hill Estates plat: rezone Lots 19-27, 32-40, and 70-72 from R-3, Single-Family residential District, to R-4, Single-Family Residential District; and rezone of Lots 67-69 from MF-2, Two-Family Residential District, to R-4, Single-Family Residential District. The rezone of Lots 19-27, 32-40, and 70-72 will allow home builders the ability to provide a larger footprint for the principal residential structure, as well as offer a broader selection of housing styles. The requested rezone is consistent with the lots in Phases I and II of the Plat of Pleasant Hill Estates. The requested rezone of Lots 69-69 will provide for a uniform housing style of single-family residences along most of Vista Valley.

The proposed rezone is consistent with the intent of the R-4 Single-Family Residential District. The proposed rezone application is consistent with the intent of the Mixed Residential land use designation.

Kevin Acker had nothing to add.

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

- 6.b. Dwight Ziegler, Representing Bear Tree Farms, Inc., Requests Approval Of A Preliminary Replat Of The Bear Tree Farms Plat Described As Lots 183-184, 187-188, 191-192, 195-196, 239-254, 256-308, Outlot 7, Vacating Honeycomb Lane, Eagle Mound Pass, Honey Bee Court And Parts Of Ramshorn Drive And Grouse Woods Road, Located On The NW 1/4 Of The SE 1/4 And The NE 1/4 Of The SW 1/4 Of Section 28, In The Village Of Windsor.
- 6.c. Dwight Ziegler, Representing Bear Tree Farms, Inc., Requests Approval Of A Condominium Plat For 77 Detached Single-Family Units For The Proposed Lot 405 Of The Bear Tree Farms Replat, Located In The NW 1/4 Of The SE 1/4 And The NE 1/4 Of The SW 1/4 Of Section 28, In The Village Of Windsor.
- 6.d. Dwight Ziegler, Representing Bear Tree Farms, Inc., Requests Approval Of A Rezone From R-2 Single Family Residential And MF-3 Multi-Family Residential District To PUD Planned Unit Development District For The Proposed Lot 405 Of

The Bear Tree Farms Replat & A Rezone Of Outlot 6 Of The Bear Tree Farms Plat From R-2 Single Family Residential District To RE-1 Recreational District & A Rezone Of R-2 Single Family Residential District To RE-1 Recreational District For The Expansion Of Outlot 9 Of The Bear Tree Farms Replat, Located In The NW 1/4 Of The SE 1/4 And The NE 1/4 Of The SW 1/4 Of Section 28, In The Village Of Windsor.

Chairperson Wipperfurth opened the public hearing at 5:09 p.m. He had a letter from Terrence R. Wall of T. Wall Enterprises regarding the Bear Tree rezone. He noted that no action would be taken at the meeting because of the time that he and Village Deputy Administrator/Director of Economic Development Rybarczyk had to leave.

Applicant offered additional information through slides. Dwight Ziegler said they are copying a development of Scott Morledge in Texas. Mr. Ziegler had with him Mike Hawkins, Keith Holmes, Nick Patterson, and Amber Rothwell. Keith Holmes will be building the homes. There will be a private clubhouse with a swimming pool. The average price will be between \$280,000 and \$340,000. They do not want sidewalks. There are five main plans. Trees are a challenge. Landscaping will be a big focus. The clubhouse will be 20 feet by 20 feet, with a deck overlooking the pool.

Amber Rothwell, of Lee & Associates in Austin, noted that Austin is similar to Madison. Open space is important. All have attached garages. Renderings and colors were discussed. The buildings are similar to create continuity. Each will have two bedrooms on the main level.

Mr. Ziegler noted this is to improve the area.

Ryan Brown lives on Royal View and owns two lots. His concern is the density. Every couple of years more homes are jammed in which drops the lot size. This is in his backyard. Having only one entrance to the area seems like it is not safe. He did not think Windsor has a need for this and thought it was a bad idea.

Ben Terpening is building right now. This is not directly behind him, but he is very close to the area affected. What is the benefit to the people who have homes in the area? Is this fair? The changes are frustrating to the homeowners. There needs to be notification to people in the area. It is a sore point with him. He was concerned about Outlot 8 which is adjacent to his property. Will it be a recreational area or an open field?

Outlot 10 is for stormwater.

Chairperson Wipperfurth stated, as far as noticing, state law requires notifying property owners within 300 feet of the area. Windsor notifies people within 500 feet.

What does this do for the rest of Bear Tree? Why was it not included in the original plat?

Mr. Ziegler stated there is a demand for housing that is more affordable.

Chairperson Wipperfurth had one follow-up. He thought it could be a good viable project. What is it going to look like 15 to 20 years from now? Will the condo documents be strong enough?

Mr. Ziegler responded that he could not imagine a condo association letting the maintenance slip.

Commissioner Mueller stated these are condos with exterior maintenance by professionals and interior maintenance by the homeowner.

Commissioner Le Gore was trying to keep an open mind. He had issues with access, density, and no paths. There are pros and cons to the compactness.

Mr. Ziegler explained that Parkside works.

Commissioner Lange asked about the fence.

The developer indicated they have not decided on it. They do plan to have fencing around the development.

Commissioner Lange liked the concept. He was not sure if this is the right place for this.

Commissioner Gaustad asked if there was anything to preclude a family moving in with a child.

Mr. Ziegler responded they will not restrict it, but it is no place for a kid.

Commissioner Lange asked about slopes on the land.

Director of Planning and Development Anderson Schweppe stated they are looking for direction from the Plan Commission. Diversity, landscape buffer, secondary access point, the park, no sidewalks, the transition to the west and the east.

Village Deputy Administrator/Director of Economic Development Rybarczyk said Outlot 9 is basically reserved for utilities – the water tower. The secondary access has to be dealt with somewhere else on the site. There is concern about security for the water tower.

Chairperson Wipperfurth closed the public hearing at 6:18 p.m.

Ryan Brown indicated there need to be significant changes to make this happen. Lots may change. There may be transient people in the development. There needs to be a buffer to Royal View. Comfort with the size of the lots? There is more density.

Commissioner Mueller stated this is a significant change from what was originally platted. Some new homes on Royal View immediately abut this. He will struggle to support this. It is a dramatic change.

Commissioner Hoffman asked how far up is the current development.

Commissioner Heisig brought up landscaping, another entrance, and no sidewalks. There are a lot of adjustments that would have to be done. Is this in the right area? We do not have all the answers yet.

Commissioner Mueller is okay with the concept. He thought it would sell. He liked the concept of the idea but did not like the change.

Commissioner Lange liked it but has concerns.

Chairperson Wipperfurth stated regarding sidewalks, would Windsor have to waive them. He likes the concept and thinks it is a niche market. There would need to be a lot of variances.

Commissioner Hoffman asked whether Windsor is asking for a buffer to the east.

Director of Planning and Development Anderson Scheppe added that Windsor is asking for compatibility.

Chairperson Wipperfurth stated that, in the staff report, Director of Planning and Development Anderson Scheppe mentions a number of things. He would like members to look at the staff report and send an e-mail to Amy only, regarding those items so that staff can have some direction.

Director of Planning and Development Anderson Scheppe asked whether the Plan Commission was just postponing this to the Plan Commission for March or whether the Village Board would act on it.

Chairperson Wipperfurth responded that it will come back to the Plan Commission.

Mr. Ziegler added that people that live there will not even know it is there because of the screening. They are changing it for the community.

7. OLD BUSINESS.

8. NEW BUSINES.

8.a. Kevin Acker, Representing Pleasant Hill Estates, Requests A Rezone Of Lots 19-27, 32-40, And 70-72 Of The Pleasant Hill Estates Plat From R-3 Single Family Residential District To R-4 Single Family Residential District And A Rezone Of Lots 67-69 From MF- 2 Two-Family Residential District To R-4 Single Family Residential District. 2020-02-13 Pleasant Hill Estates Rezone Staff Report Pleasant Hill Estates Rezone Application Plan Commission Resolution 2020-01.

Commissioner Brad Muller noted that at the last meeting there were a number of concerned neighbors. He asked that developers, if you see that you want to change the setback and the rezoning for particular lots, that you try to do that early on. With the development 70 percent full, it is not fair to the owners of those lots. It is not fair to everyone who has purchased lots.

A motion was made by Commissioner Gaustad, seconded by Commissioner LeGore, to approve Resolution 2020-01, Recommending Approval Of A Rezone for Lots 19-27, 32-40 NS 67-72 Of the Plat Of Pleasant Hill Estates, Village of Windsor. Motion carried with a 7-0 vote.

- 8.b. Dwight Ziegler, Representing Bear Tree Farms, Inc., Requests Approval Of A Preliminary Replat Of The Bear Tree Farms Plat Described As Lots 183-184, 187-188, 191-192, 195-196, 239-254, 256-308, Outlot 7, Vacating Honeycomb Lane, Eagle Mound Pass, Honey Bee Court And Parts Of Ramshorn Drive And Grouse Woods Road, Located On The NW 1/4 Of The SE 1/4 And The NE 1/4 Of The SW 1/4 Of Section 28, In The Village Of Windsor. 2020-02-13 Bear Tree Re-Plat, Bear Tree Highlands Condominium Plat And Rezone Staff Report Bear Tree Re-Plat, Bear Tree Highlands Condominium Plat And Rezone Application.
- 8.c. Dwight Ziegler, Representing Bear Tree Farms, Inc., Requests Approval Of A Condominium Plat For 77 Detached Single-Family Units For The Proposed Lot 405 Of The Bear Tree Farms Replat, Located In The NW 1/4 Of The SE 1/4 And The NE 1/4 Of The SW 1/4 Of Section 28, In The Village Of Windsor.
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9. ADJOURNMENT.

A motion was made by Commissioner Mueller, seconded by Commissioner Lange, to adjourn the meeting at 6:30 p.m. Motion carried with a 7-0 vote.

Respectfully submitted,

Ellen G. Teed

Ellen G. Teed
Recording Secretary