



MINUTES
PLAN COMMISSION
March 17, 2015

Plan Commission Members Present: Carol Poole, Ed Kinney, Jim Anderson, Becky Baumbach

Others Present: Thomas Hovel – City Planner/Zoning Administrator, Susan Badtke – Community Planner

1. Call to order and approval of minutes of 2/17/2015.

Chair Poole called the meeting to order at 7:13 p.m.

Motion by Kinney, second by Baumbach, to approve the minutes of 2/17/2015 was carried unanimously.

2. Public Appearances – non agenda items – None.

3. Agenda Review –

Motion by Anderson, second by Kinney, to move item 8 after item 4, was carried unanimously.

4. Public hearing and consideration of Ordinance 2015-O-07, An Ordinance Amending Chapter 26 Sign Ordinance to Amend Section 26-83(a) Relative to On-Site LED Motor Vehicle Fuel Pricing Signs.

Chair Poole opened and closed the public hearing as there were no registrants.

Community Planner Susan Badtke provided an overview of the proposed ordinance amendment. She noted that this is a minor amendment to the Sign Ordinance to allow motor vehicle fuel pricing signs to be LED; under the current ordinance an LED electronic sign is considered an alternating sign and therefore is not allowed. PDQ gas station is looking to change their sign so this would allow them to do this. She noted that State Statute has limitations that the price can only change once in 24 hours.

Anderson questioned whether there were any requirements as far as brightness as he said some of the pricing signs, not necessarily in Fitchburg, appear brighter than others. Badtke commented that she wasn't aware of any limitations on brightness.

Motion by Baumbach, second by Anderson, to recommend approval of 2015-O-07 was carried unanimously.

5. Resolution R-17-15, A Resolution Approving Offer to Purchase Property For Northeast Fire Station Site. (this is item 8 identified on the agenda, which was moved to be taken up after item 4 above)

Community Planner Susan Badtke gave a quick overview of the Resolution noting that the Resolution would approve an offer to purchase property for the Northeast Fire Station site. The site is proposed at 5 acres.

Ed Kinney questioned whether all 5 acres were usable. City Planner Tom Hovel stated that the site is all usable. Chair Poole commented that there is the option to acquire 2 additional acres in the future, if needed and that the City is close to getting started on the west side firestation.

Hovel commented that the McKeown property, on the west side of Syene, had been considered and the City went as far as having the property appraised and an environmental assessment completed. They were having trouble getting weeds cut down to get a better look at the property and the City was uncomfortable pursuing. Poole commented that the utilities are also closer on the east side site that the City is pursuing.

Kinney questioned whether the station will be a 2-story building. Hovel stated that the fire department prefers one story but that is yet to be determined. Kinney stated that if the City wants to set a tone for the area we need to set expectations.

Jim Anderson questioned if the City Engineer looked at the site distance with the hill. Hovel stated there were some conversations regarding this but no major issues that made the City not wish to pursue the site.

Motion by Kinney, second by Baumbach, to recommend approval of Resolution R-17-15, was carried unanimously.

6. Public hearing and consideration of a request, CDP(A)-2051-15, by Deborah Hatfield, agent for Hamm Fam Land, LLC, to amend the Quarry Vista Comprehensive Development Plan, lands near Fitchrona/Lacy Road.

Chair Poole opened the public hearing.

Deb Hatfield, 119 S Main Street Cottage Grove, representing the development and Hamm Fam Land, registered in support of the request and was available to answer questions.

Mike Schultz, 2921 Perry Street Madison, representing the developer and Hamm Family, registered in support of the request and was available to answer questions.

Rob Montgomery, 119 S Main Street Cottage Grove, representing Hamm Fam Land, spoke in support of the request and provided an overview of the changes to the previously approved CDP. He noted that changes to the plan including identification of a small wetland of 200 sq ft that will not be directly impacted by the project as construction will take place outside of the required 75' wetland buffer. The plan also recognizes the possibility of a navigable waterway in the Quarry Ridge recreational area; anything related to this is covered by the erosion control plan and doesn't change anything in the project. He noted that the main change to the plan deals with the landfill. Montgomery provided background on the landfill and noted that they have received approval from DNR on the proposed landfill closure plan modification. The landfill material will be sorted and materials will be moved to the private green space area shown in the plan, which essentially takes out a ½ block of the project. The DNR will redefine the area from the original 5 acres to the small private greenspace area.

Ed Kinney questioned how the private greenspace will be used and owned. Montgomery stated that it will be private held by Hammersley and heirs/assigns. Kinney questioned if there is a way to make it more of an amenity to the project. Montgomery stated that there are a lot of possibilities; a gazebo, trees, landscaping features might be permitted by the DNR but any construction on the site would need to be permitted by the DNR. He stated that the property will be mowed and the sidewalk cleared.

Ed Kinney questioned whether the area could go to a Homeowners Association so there is an incentive to continue to maintain the property in the future. Montgomery stated that is possible in the future but right now it is proposed to be privately held. It might be possible that the designation of a licensed landfill facility could be removed in the future but that would need to be explored with the DNR in the future.

Chair Poole inquired about the possibility of using the space for a dog park or other similar uses. Montgomery stated that the DNR cares about having intact cover of the material. Mike Schultz, president of CGC, stated that the DNR allowed for soccer fields to be built over the Middleton Metro Landfill as it doesn't infringe upon the cover.

Chair Poole closed the public hearing.

City Planner Tom Hovel stated that the private open space reduces the density a little bit as it takes away some of the home sites; the plan anticipates 318 dwelling units with 152-156 of them being multi-family. He stated there is a long water main extension to which Public Works is requesting a few conditions on. Hovel also commented that the City found out about the landfill in September 2014; the applicant had proposed to dedicate land that contained landfill material to the City for parks and streets. The amendment could have been avoided if the city was notified of the landfill from the beginning. He also noted that the DNR approval has conditions that exemptions from the DNR would be needed for any structure and that the DNR will need to examine and inspect the property annually so it will need to be mowed and the growth will need to be kept down.

Motion by Anderson, second by Kinney, to recommend approval of CDP(A)-2051-15 with the following conditions:

- A. No other permit or approval is waived or deemed satisfied except for the approval herein provided.
- B. DNR and City approval of landfill closure plan.
- C. Applicant shall reimburse the City for water main flushing until 80-dwelling units are occupied with the subdivider to notify the City when this occupancy level has been reached.
- D. 80 dwelling units on lots within the first final plat of Quarry Vista shall be occupied within six months of the first unit being occupied.
- E. The applicant shall post a surety for the entire cost of constructing the public water main to serve the Quarry Vista plat. The surety will be reduced as impact fees are paid. The surety shall continue until all of the improvements required by the Comprehensive Development Plan and Preliminary Plat are fully constructed and accepted.
- F. Landfill designation shall be removed by the DNR from all areas except Outlot 5.
- G. Additional conditions may be established by City staff following DNR review/approval.

Motion was carried unanimously.

7. Public hearing and consideration of rezone request, RZ-2052-15, by Deborah Hatfield, agent for Hamm Fam Land, LLC, to rezone from the PDD-SIP (Planned Development District – Specific Implementation Plan) to the P-R (Park & Recreation) and R-LM (Residential – Low to Medium Density), a portion of Lot 3 CSM 11159.

Chair Poole opened the public hearing.

Deb Hatfield, 119 S Main Street Cottage Grove, representing Hamm Fam Land, registered in support of the request and was available to answer questions. She provided a brief summary of the request noting that the rezoning request was specific to the block with the private open space.

Rob Montgomery, 119 S Main Street Cottage Grove, representing Hamm Fam Land, registered in support of the request.

Mike Schultz, 2921 Perry Street Madison, representing the development and Hamm Family, registered in support of the request and was available to answer questions.

Chair Poole closed the public hearing.

Motion by Baumbach, second by Kinney, to recommend approval of RZ-2052-15 with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) Approval of this preliminary plat is subject to approval of the Comprehensive Development Plan Amendment CDP(A)-2051-15 by the Common Council.

Motion was carried unanimously.

8. Preliminary Plat request, PP-2053-15, by Deborah Hatfield, agent for Hamm Fam Land, LLC, for approval of a revised Preliminary Plat for Quarry Vista.

Deb Hatfield, 119 S Main Street Cottage Grove, representing the development and Hamm Fam Land, registered in support and summarized that the plat modifications include redesign of the block that will be private open space with the landfill materials and also incorporating the multi-family site as a lot instead of an outlot.

Mike Schultz, 2921 Perry Street Madison, representing the development and Hamm Family, registered in support of the request and was available to answer questions.

City Planner Tom Hovel stated that staff recommended approval with 13 conditions; he made one minor amendment to proposed condition 2 to include that the approval is conditioned on approval of the CDP and Rezoning.

Motion by Kinney, second by Baumbach, to recommend approval of PP-2053-15, with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) Approval of this preliminary plat is subject to approval of the Comprehensive Development Plan Amendment CDP(A)-2051-15 and rezoning request RZ-2052-15 by the Common Council.
- 3.) DNR and City approval of landfill closure plan.
- 4.) Subdivision Improvement Agreement and park fees will be required with the final plat.
- 5.) Applicant shall reimburse the City for water main flushing until 80-dwelling units are occupied with the subdivider to notify the City when this occupancy level has been reached.
- 6.) 80 dwelling units on lots within the first final plat of Quarry Vista shall be occupied within six months of the first unit being occupied.
- 7.) The applicant shall post a surety for the entire cost of constructing the public water main to serve the Quarry Vista plat. The surety will be reduced as impact fees are paid. The surety shall continue until all of the improvements required by the Comprehensive Development Plan and Preliminary Plat are fully constructed and accepted.
- 8.) Ownership of private outlots may be revisited during final platting of the land.
- 9.) Utility easements will be needed on final plat.
- 10.) Landfill designation shall be removed by the DNR from all areas except outlot 5.
- 11.) ECSWM approval is needed prior to grading on Lot 46.
- 12.) Additional conditions may be established by City staff following DNR review/approval.
- 13.) Prior to submission of a final plat the applicant shall provide: (A) the road profile, grading plan, cross sections and any other relevant information as required by Public Works. This plan set shall be reviewed and approved for the section of Quarry Vista Drive from Fitchrona Road east to proposed Turnstone Circle. (B) The applicant shall provide a grading easement and maintenance agreement, as may be required by Public Works, depending upon the facilities required for the Pringle property. After approval of a draft agreement by Public Works, the applicant shall provide a fully executed agreement to the city.

Motion carried unanimously.

9. Planning Department Report

City Planner Tom Hovel informed the Commission that the DNR has opened the public comment period on the NEN Urban Service Adjustment application. Public comment opened on March 12 and runs through April 3. He stated that you can find information on the DNR's website at dnr.wi.gov; enter "Water Planning in Wisconsin" in the search bar and it will bring you to a public comment site. He stated that the DNR has not yet made an opinion on the project but expects a decision sometime in the spring.

10. Announcements

Chair Poole informed the Commission that the next meeting is scheduled for April 21, 2015. She thanked Alder Becky Baumbach for her hard work on the Commission as Becky has chosen not to run again for Council. She also thanked staff for having complete reviews and information for the Commission.

11. Adjournment

Motion by Kinney, second by Anderson, to adjourn at 7:57 p.m. was carried unanimously.

Submitted By,
Susan Badtke, Community Planner

Approved April 21, 2014