



MINUTES
PLAN COMMISSION
April 21, 2015

Plan Commission Members Present: Mayor Steve Arnold, Ed Kinney, Carol Poole, Tony McGrath, Rachel Lee

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

1. Call to order and approval of minutes of 3/17/2015.

Chair Arnold called the meeting to order at 7:02 p.m.

Motion by Kinney, second by McGrath, to approve the minutes of 3/17/2015 was carried unanimously.

2. Public Appearances – non agenda items – None.

3. Agenda Review – No changes.

4. Architectural Design Review request by Russell Swiggum for a new agricultural building at 5898 Adams Road, Lot 1 CSM 12880.

Russell Swiggum, PO Box 930249 Verona, representing Frostwood Farms, was available to answer questions.

Thomas Hovel provided the staff report noting that this is a request for an agricultural building on Adams Road. He stated that the proposed building is being placed in an area that has a pocket and so it's not taking away any valuable agricultural land.

Motion by Poole, second by McGrath, to approve ADR request for 5898 Adams Road with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) Use of the building is limited to agricultural use only. Approval is based on submitted plans and materials.
- 3.) Applicant shall obtain an Erosion Control and Stormwater Management Permit prior to the issuance of any permit.
- 4.) Applicant shall work with Public Works on the driveway location and obtain a driveway permit prior to the issuance of any building permit.

Motion carried unanimously.

5. Preliminary Plat request PP-2054-15 by Ronald Klaas, agent for Fahey Land LLC, for approval of the Fahey Fields Preliminary Plat.

Janet Adams and Richard Collins, 90 Pond View Way Fitchburg, representing the Crossing Condominium Association, registered mostly in support but primarily for information.

Patrick Cheney, 5211 Kittycrest Drive Fitchburg, representing himself and a member of the McGaw Neighborhood Master Plan Steering Committee, spoke in opposition to the request. He explained that his opposition is based on a single conflict which are the private lots abutting the parkland addition on the east side of Notre Dame Drive. He stated that these lots are in conflict with the Neighborhood Plan and the Park Master Plan and that there should be 100% open street frontage into this park addition.

Alder Carol Poole asked Cheney to explain his objection with having the lots back up to the parkland. Cheney stated that this area will function as a neighborhood park and community park but the idea was that the street frontage was intended as parking for anyone driving to the park.

Tony McGrath questioned why someone couldn't park in front of a residential house. Cheney responded that people would need to park in front of houses, driveways, and the residential lots reduced the parking and interferes with park space. Cheney also stated that having the street frontage for the park would make the park more visible and the police could better see what is going on in the park.

Parks Director Scott Endl provided the Park Commission report and stated that he feels that the park plan that the development proposes for the park addition is well-suited the way that it is laid out.

Jason Gonzalez, 2800 Crinkle Root Drive #208 Fitchburg, registered in support and stated that both he and his co-alder Dan Carpenter support the project. He stated that the development team has done outreach with Quarry Hill and the Crossings and that the development is consistent with the surrounding neighborhood.

Ron Klaas, 7530 Westward Way Madison, representing Fahey Fields, provided an overview of the development proposal stating that the plan follows the approved Comprehensive Development Plan. He noted that stormwater management has been addressed and that items related to the roundabout and size of Fahey Glen have been addressed with public works. He gave a brief overview of a park layout based on the McGaw Park master plan.

Klaas also described the phasing plan for the development which was included with the preliminary plat. The Commission reviewed and had consensus of the phasing.

Tony McGrath questioned how long the development has been in the planning process. Klaas commented that they submitted a CDP in the late fall and have been working through the process.

Tony Hienrichs, 113 Cohiba Court Verona, spoke in support and was available to answer questions.

David Fahey, 5376 Irish Lane Fitchburg, representing Fahey Land, Fahey Family and self, spoke in support of the request. He explained that every residential lot will be a half-block from a trail and two blocks from a park and that in his opinion the proposed neighborhood is walkable. He stated his position is that the maps included in the master plan are high level pictures and that the street position gets defined at this level. He also explained that the multi-family development wraps around the tech-campus building and serves as a transition between the industrial lands and the single-family lots and there will be townhouses along Nobel drive to help with the transition. Ron Klaas elaborated on this a bit further with a sketch of one concept for the multi-family lot which included smaller units along Nobel Drive with a potential private drive behind for access.

Ed Kinney questioned the potential timing for the multi-family development as he'd hope to avoid a situation where the single-family is developed and then screams when it's time to develop the multi-family. Heinrichs stated he would like to see some of the multi-family come into phase 1.

City Planner Tom Hovel provided the staff report noting that the developer has included stormwater management at the north end of the parkland and have provided it as a separate outlots rather than being

part of the park. He commented that they have included as park street frontage the long and narrow area next to the stormwater even though the land isn't usable for park use as it is too narrow.

Richard Collins, 27 Harvest Way Fitchburg, stated that while he supports the development, there has been very little contact with the Crossings on this project. The Crossings would like to have more contact with the development team and be part of the planning and also be informed as to what the timeframe is for the water management plan and accomplishment of the plan implementation. Klaas commented that stormwater management will be one of the first items and that the goal is to help make the Crossing's stormwater situation better.

Motion by McGrath, second by Poole, to approve PP-2054-15 with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) Subdivision Improvement Agreement and park fees will be required to be executed prior to the City signing the final plat.
- 3.) Utility easements shall be shown on the final plat.
- 4.) Rezoning of the property at the time of the final plat to accommodate the uses herein anticipated.
- 5.) Applicant shall work with Public Works on sanitary sewer and watermain layout and sizing.
- 6.) Compliance with conditions of CARPC Resolution 2009-15.
- 7.) The plat may be adjusted depending on the design of the roundabout at Fahey Glen and Nobel Drive.
- 8.) Preliminary Plat provided to the City on April 15, 2015 which includes drainage arrows shall be reviewed by Public Works and may need adjustments depending on Public Works review.
- 9.) Mary Lane shall be used only for one direction of the street (north/south) or (east/west) as there is a clean break at Fahey Glen where the street changes direction. Preliminary Plat shall be updated to recognize this name change and be resubmitted within one week of Plan Commission action for approval by Planning Department.
- 10.) Attend to Park Commission comments and show that the McGaw Park addition is capable of handling the required improvements.

Chair Arnold expressed the following concerns and noted that he would like to work with the applicants to try to move the development toward what the neighborhood plan had envisioned.

- Concerned about density types as there are only three types (single family, townhouses, multi-family) with the multi-family compressed to a small area. He stated the most successful neighborhood have a variety of lot sizes and more building type variety.
- Concerned about park frontage and public access as the viewscape and access into the park is a public amenity.
- Concerned that much of the unit count is outside the current Urban Service Area. He stated that with the approval of the North Stoner Prairie Neighborhood and a portion of the Northeast Neighborhood it could be several years before this area is brought into the USA. He would like to have the average density met in the current USA.
- Suggested that perhaps the development could bring the lot count up and lot sizes down and bring in another north/south street. This might help the developed meet the financial goals for the project.
- Stated he would like to see a stub street into the Rueden property to the north so that there is a better street grid instead of only have Notre Dame and Fahey Glen going to the north.
- The McGaw Neighborhood Plan has a lot of goals related to LEED and these are not being satisfied with the proposed development.

McGrath stated he appreciates Arnold's comments but that his list of concerns are things that Arnold would like to see in the development and are not required by law or ordinances. He argued that it's not appropriate for a unit of government to impose these things on a developer and that these are not grounds for delaying or tabling the request. Arnold responded that there are minimum requirements but he doesn't think the City should be satisfied with the minimum.

Motion carried with Arnold opposing.

6. Final Plat request FP-2055-15 by Deborah Hatfield, agent for Hamm Fam Land LLC, for approval of the Final Plat of Quarry Vista.

Russell Pietz, 119 South Main Cottage Grove, representing Hamm Fam Land and Montgomery Associates, spoke in support of the request and provided a explained the request for the final plat for phase 1 of Quarry Vista.

Hovel provided the staff report explaining the request is for 14 single-family lots as well as the multi-family lot at the Fitchrona/Lacy Road intersection.

Chair Arnold inquired about timing for subsequent plats. Phil Sveum, 5500 E Cheryl Pkwy Fitchburg, stated that the next plat for phase 2 will be submitted very soon.

Motion by Kinney, second by Poole, to recommend approval of FP-2055-15 with the following conditions:

- 1.) No other permit or approval is waived or deemed satisfied except for the approval provided herein.
- 2.) A Subdivision Improvement Agreement shall be executed prior to the City signing of the final plat.
- 3.) Park fees for the final plat shall be paid prior to the City signing of the final plat.
 - a. Park Improvement fee: Park Improvement for 14 single-family and 152 multi-family units is \$30,860 (2015 dollars)
 - b. Fee In-Lieu of Parkland Dedication: The proposed plat is deficient in parkland dedication by 8,754 square feet, or 3.02 dwelling units. This deficiency shall be made up through fee in-lieu of parkland dedication which equates to \$13,076.60 (2015 dollars)
- 4.) Escrow for Fee In-Lieu of Street Frontage for Parkland: The proposed plat, based on pro-rating of the preliminary plat, is deficient in street frontage for parkland by 149.11 feet. The fee in-lieu of street frontage for parkland is \$350 per linear foot (2015 dollars); the deficiency requires \$52,188.95 for fee in-lieu of park street frontage. The City may be agreeable to an Escrow account being created to cover the deficient street frontage, which could be released to the developer when sufficient street frontage has been provided. The Escrow shall be greater than \$52,188.95 to account for an increase in the linear foot cost. This shall be addressed as part of the developers agreement as required in condition 2 above.
- 5.) Applicant shall reimburse the City for the water main flushing until 80-dwelling units are occupied with the subdivider to notify the City when this occupancy level has been reached.
- 6.) Applicant shall construct 80 dwelling-units within 6-months of recording of this plat.
- 7.) The applicant shall post, prior to the City signing the final plat, 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 entire surety will be released if all of the public improvements for development intended by the Comprehensive Development Plan and preliminary plat are constructed and accepted within 48-months of the recording of this final plat.
- 8.) All final details and drawings regarding the proposed improvements, including the proposed retaining wall on north side of Quarry Vista Drive, shall be provided to Public Works for review and approval prior to the City signing of the final plat.

Motion carried unanimously.

7. Resolution R-37-15, Accepting Public Improvements for TechLands Plat

City Planner Tom Hovel pointed to a revised resolution that was distributed to the Commission members. He stated that he had worked with the developer's attorney on some revisions, including that if the improvements are not completed by August 1 that the City can use the TID funds to complete the work. This gives the City some protections as building permits will be allowed to be issued. Ed Kinney abstained from this item due to a potential conflict of interest.

Motion by Poole, second by Lee, to recommend approval of R-37-15 was carried unanimously.

8. Consideration of PCR-01-15, Resolution of the Plan Commission Calling for a Public Hearing on Proposed Tax Incremental District No. 9 Creation In the City of Fitchburg

City Planner Tom Hovel provided a brief explanation of the Resolution noting that it is for a fairly compact TID for subzero property. The Resolution would set forth a public hearing on the project plan for May 19.

Motion by Poole, second by McGrath, to recommend approval of PCR-01-15 was carried unanimously.

9. Planning Department Report

City Planner Tom Hovel provided and updated on the Anton Drive Planning Study RFP noting that proposals are due on May 11, 2015 at 1:00 p.m.

10. Announcements

The next Plan Commission meeting is scheduled for May 19, 2015 at 7:00 p.m.

11. Adjournment

Motion by Lee, second by Kinney, to adjourn at 8:32 p.m. was carried unanimously.

Submitted By,
Susan Badtke, Community Planner

Approved May 19, 2015