

City of Verona  
Minutes  
Plan Commission  
April 3, 2019

1. **Call to Order:** Luke Diaz called the meeting to order at 6:31 p.m.
2. **Roll Call:** Mike Bare, Luke Diaz, Scott Manley and Beth Tucker Long were present. Also present: Adam Sayre, Interim City Administrator/Director of Planning and Development; Katherine Holt, Community Development Specialist; and AECOM Engineer Jess Billmeyer. Steven Heinzen will arrive shortly. Pat Lytle and Sarah Gaskell were absent and excused.
3. **Minutes:** Motion by Bare, seconded by Manley, to approve the March 4, 2019 Plan Commission Minutes. Motion carried 4-0.
4. **Discussion and Possible Action – Site plan review to allow for the construction of a 13,750 square foot building addition for Engineering Industries located at 407 South Nine Mound Road.**

Sayre explained that this project has been talked about going back to April 2018. The phase 1 expansion was completed in 2018. The Applicant is requesting approval of the phase 2 expansion. Additional phases are planned, as well. The building placement conforms to all the required setbacks. The access points to the property will not change. Drainage and stormwater were master planned for the entire property. Staff has no concerns with the building materials or design. Landscaping is being placed near the road, so it will not be impacted by future additions.

Manley is happy to see continued investment in this property.

Mayor Diaz concurs, and likes the foresight being implemented with the landscaping.

Motion by Manley, seconded by Heinzen, to approve a site plan to allow for the construction of a 13,750 square foot building addition for Engineering Industries located at 407 South Nine Mound Road. Motion carried 5-0.

5. **Public Hearing – Conditional Use Permit for a “group development” located at 345 Investment Court that would allow for the construction of a 4,704 square foot storage building.**

Sayre explained that a “group development” is any property that has multiple buildings. With the proposed expansion, there will be two buildings on the property. A “group development” requires a Conditional Use Permit in the Urban Industrial zoning district. The Plan Commission will make a recommendation on the Conditional Use Permit to the Common Council.

Motion by Diaz, seconded by Bare, to open the public hearing at 6:38 p.m. Motion carried 5-0.

There were no public comments.

Motion by Tucker Long, seconded by Heinzen, to close the public hearing at 6:38 p.m. Motion carried 5-0.

- a. **Discussion and Possible Action – Conditional Use Permit for a “group development” located at 345 Investment Court that would allow for the construction of a 4,704 square foot storage building.**

Sayre stated the existing building on this property faces Investment Court on the north end of the property. The new building will be along the south side of the property near

USH 18/151. The new building will be used for storage of the company's vehicles and equipment. The building conforms to the required setbacks. There are no concerns with stormwater management. The building will be a metal building designed to match other buildings in the area. Staff recommends approval of both the Conditional Use Permit and the site plan.

Motion by Tucker Long, seconded by Heinzen, to recommend to the Common Council to approve a Conditional Use Permit for a "group development" located at 345 Investment Court that would allow for the construction of a 4,704 square foot storage building. Motion carried 5-0.

**b. Discussion and Possible Action – Site plan review to allow for the construction of a 4,704 square foot storage building at 345 Investment Court.**

Motion by Bare, seconded by Tucker Long, to approve a site plan to allow for the construction of a 4,704 square foot storage building at 345 Investment Court. Motion carried 5-0.

**6. Public Hearing – Conditional Use Permit for a proposed indoor commercial entertainment land use, known as Hammer Forged CrossFit, located at 606 West Verona Avenue.**

Sayre explained that the indoor commercial entertainment land use is typically used for restaurants, but also includes fitness studios. This land use requires a Conditional Use Permit in the Suburban Commercial zoning district. The applicant already occupies the space, so this action will bring the property into conformity with the code.

Motion by Diaz, seconded by Bare, to open the public hearing at 6:43 p.m. Motion carried 5-0.

Monte Stoleson, 318 Birchwood Lane, Verona, spoke as the owner of the property at 606 West Verona Avenue. NAPA Auto Parts moved out of this store after 34 years there. He wanted to put a business in the store that would help make the west corridor look nice. There are only 27 parking spots for the tenants to share. They have been staggering their open times to accommodate people wanting to park to go It's Time. There are also 22 alternate parking spots in the BMO Harris parking lot that can be used outside of the bank's business hours.

Heinzen asked if there are any parking spots set aside for other tenants.

Stoleson replied that it is stated in the leases that parking spots will not be set aside for any business.

Motion by Heinzen, seconded by Bare, to close the public hearing at 6:47 p.m. Motion carried 5-0.

**a. Discussion and Possible Action – Conditional Use Permit for a proposed indoor commercial entertainment land use, known as Hammer Forged CrossFit, located at 606 West Verona Avenue.**

Sayre stated the biggest challenge for this property is time-of-day demand for parking. Tenants include It's Time Bar & Grill, Craig's Cake Shop, Wisco Green, and Hammer Forged CrossFit. A tenant with a high traffic demand could create issues. There have been no concerns by the tenants since Hammer Forged moved in. Staff recommends the following conditions should be placed on the Conditional Use Permit:

- a. Hammer Forged CrossFit shall be limited to 15 people on-site at one time, which includes customers and staff.
- b. Permitted hours of operation are Monday through Saturday, 6 a.m. – 7:30 p.m.

- c. The arrival and departure of customers attending classes must be staggered between 3 p.m. to 7:30 p.m., respectively.

Heinzen thinks it is important to regulate the fitness class schedules to prevent difficulties with parking. He would like to see the permitted hours of operation expanded to begin at 5 a.m.

Bare asked if the conditions listed take into account the additional parking spaces available at BMO Harris, and if the property owner or tenant have provided any feedback on the conditions.

Sayre replied that even with the extra spaces, parking will be tight. Staggering class times will help alleviate the parking problem.

Mike Rainiero, owner of Hammer Forged CrossFit, stated they are set up for small class sizes, and are able to limit class sizes. He is comfortable with capping the class size at 15. The 6 a.m. – 7:30 p.m. hours of operation and staggering of class schedules are acceptable, as well.

Tucker Long asked if any of the other businesses in that space have restricted hours.

Sayre replied they do not.

Manley understands the interest in ensuring adequate parking, but he does not want to be too prescriptive. He asked Rainiero if he thinks his business will expand enough to eventually want an earlier start time.

Rainiero replied that flexibility in the hours of operation would be a nice option.

Manley would be comfortable with eliminating Condition “b”., or expanding the hours of operation to begin at 5 a.m.

Motion by Diaz, seconded by Tucker Long, to recommend to the Common Council to approve a Conditional Use Permit for a proposed indoor commercial entertainment land use, known as Hammer Forged CrossFit, located at 606 West Verona Avenue, with the following conditions:

- a. Hammer Forged CrossFit shall be limited to 15 people on-site at one time, which includes customers and staff.
- c. The arrival and departure of customers attending classes must be staggered between 3 p.m. to 7:30 p.m., respectively.

Motion carried 5-0.

**7. Public Hearing – Conditional Use Permit to allow an Institutional Residential land use to be located at 841/857 North Main Street that would allow for the construction of a 100-unit senior living facility.**

Motion by Diaz, seconded by Bare, to open the public hearing at 7:06 p.m. Motion carried 5-0.

Kevin Van Horne, 802 North Edge Trail, Verona, spoke expressing his concern about the landscaping buffer between his property and the proposed senior living facility not being large enough to provide privacy for his home.

Corrine Lang, 847 North Edge Trail, Verona, spoke expressing her concern about this development creating additional traffic and parking issues on local streets.

There were no other public comments.

Motion by Heinzen, seconded by Bare, to close the public hearing at 7:09 p.m. Motion carried 5-0.

**a. Discussion and Possible Action – Conditional Use Permit to allow an Institutional Residential land use to be located at 841/857 North main Street that would allow for the construction of a 100-unit senior living facility.**

Sayre presented the staff report. This is a 3.3 acre site that currently holds a house, a barn and various outbuildings. This project was approved in October of 2017, but the developer did not move forward with the plans, and the approval expired. The project came back to the Plan Commission for initial review in December of 2018. The building setbacks meet code requirements. There would be a shared access point with First Choice Dental, and a southern access point with right-in, right-out access. The property has a total of 115 surface and underground parking stalls. A one-to-one parking ratio is probably not necessary for this type of use. Staff recommends a shared parking agreement with First Choice Dental. Drainage and stormwater plans are under review by the City Engineer. The landscaping plan exceeds the City's minimum landscaping requirements. Staff recommends a condition that the landscaping adjacent to the City's 50-foot outlot be installed as soon as practical. There are no concerns with the building design. A deed restriction would limit the use of the property to Institutional Residential land use for tenants age 55 and over.

Billmeyer stated 100 units would generate approximately 360 trips per day. In the morning peak hour, there would be about 33 trips. In the afternoon peak hour, there would be about 41 trips. Commercial and apartment uses would generate significantly more trips. An independent living facility is one of the lowest trip uses.

Sayre stated Staff recommends approval of the Conditional Use Permit with the following conditions:

- a. A deed restriction shall be recorded on the property restricting the use on the property to an Indoor Institutional Residential land use with age restricted housing for persons age 55 and older prior to issuance of a building permit and after the Applicant records the certified survey map for development.
- b. The Applicant and the City shall enter into an Agreement to allow the Applicant to install plantings on public lands and to require the Applicant to construct a north/south bike/pedestrian path connecting North Edge Trail to the City's outlot.
- c. As part of the landscaping agreement, the Applicant shall be required to install the landscaping on the City property as soon as practical to provide additional growth and buffering from the adjacent residential area.
- d. Prior to issuance of building permits, the Applicant shall complete a certified survey map.
- e. Prior to the issuance of building permits, the Applicant shall provide the City with a copy of the shared parking agreement required with First Choice Dental.

Diaz asked if decisions about the North Main Street/Llanos Street intersection will have any consequence on the decisions being made by the Plan Commission regarding this property.

Sayre replied that this property would likely not be impacted by decisions made regarding the intersection.

Diaz asked the Applicant if some of the deciduous trees in the landscaping could be replaced with evergreens.

Kevin Yeska, representing JSD, replied that some of the trees in the infiltration basin will need to be relocated, and a few of the evergreens could be swapped in. On the north end

of the site, there will be a fence and a retaining wall, so there is the potential of moving some of the trees along that end of the property, as well, to increase the density of the landscaping buffer on the east side.

Bare asked if it would be possible to double the number of trees and put some on the east side of the path.

Yeska replied that there are water main and sanitary sewer. If that would have to be repaired in the future, the trees would have to come out.

Tucker Long asked if it is possible to have one-to-one parking underground.

Yeska replied they are trying to utilize the topography of the site and put some units on the lower level, which adds density to the project. The units on the lower level would have to be removed if they were to provide one-to-one parking. The management company for the facility has no concerns with the parking as proposed.

Manley stated he has been concerned about the traffic impacts of this development. The upcoming changes in the schools across the street will be bringing in a lower age student population, and therefore more traffic. This development will bring more traffic to the area, as well. He would like to see the North Main Street/Llanos intersection signalized.

Tucker Long expressed concern that if this property should have another use in the future, there may not be enough available parking for that use. She also asked about the City's responsibilities regarding clean-up of leaves in the outlot adjacent to this property.

Sayre replied that if the Conditional Use Permit is approved with the recommended conditions, the deed restriction outlined in Condition a. will prevent the property from being used for any purpose other than age restricted housing for persons age 55 and older, unless the City agrees to release the deed restriction. The City does maintain its outlots. Clean-up of leaves would likely consist of mowing them to create mulch.

In Condition b., Bare would like to see the word "allow" changed to "require".

Manley asked the Applicant if planting the landscaping as soon as practical will cause any problems during construction.

Yeska replied that there should be no problems, and the developer is in agreement with putting the plantings in as soon as possible.

Motion by Manley, seconded by Bare, to recommend to the Common Council to approve a Conditional Use Permit to allow an Institutional Residential land use to be located at 841/857 North Main Street that would allow for the construction of a 100-unit senior living facility, with the following conditions:

- a. A deed restriction shall be recorded on the property restricting the use on the property to an Indoor Institutional Residential land use with age restricted housing for persons age 55 and older prior to issuance of a building permit and after the Applicant records the certified survey map for development.
- b. The Applicant and the City shall enter into an Agreement to allow the Applicant to install plantings on public lands and to require the Applicant to construct a north/south bike/pedestrian path connecting North Edge Trail to the City's outlot.
- c. As part of the landscaping agreement, the Applicant shall be required to install the landscaping on the City property as soon as practical to provide additional growth and buffering from the adjacent residential area.

- d. Prior to issuance of building permits, the Applicant shall complete a certified survey map.
- e. Prior to the issuance of building permits, the Applicant shall provide the City with a copy of the shared parking agreement required with First Choice Dental.

Amendment #1: Motion by Bare, seconded by Tucker Long to approve Amendment #1, changing the word “allow” to the word “require” in Condition b. Mayor Diaz called the vote on Amendment #1. Motion carried 5-0.

Amendment #2: Motion by Diaz, seconded by Bare, to approve Amendment #2, adding Condition f. requiring a more significant evergreen screen in the landscaping plan, subject to staff approval. Motion carried 5-0.

Diaz commented that senior living will have the lowest impact on the neighborhood, and is probably best for the City. He reserves the right to change his mind on this property based on the outcome of the discussion at the Common Council meeting regarding the North Main Street/Llanos Street intersection.

Tucker Long commented that there seem to be a lot of trees and shrubs proposed at the ends of the driveways. She is concerned about visibility when turning out of the driveways onto North Main Street.

Billmeyer stated that is something that will be looked into as part of the site review.

Sayre stated there are no significant concerns about that at this time, but it will be reviewed.

Diaz called the vote on the original motion, as amended by Amendment #1 and Amendment #2. Motion carried 5-0.

**b. Discussion and Possible Action – Site plan review to allow for the construction of a 100-unit senior living facility at 841/857 North Main Street**

Motion by Bare, seconded by Heinzen, to approve the site plan to allow for the construction of a 100-unit senior living facility at 841/857 North Main Street. Motion carried 5-0.

**8. Public Hearing – Precise Implementation Plan (PIP) for the Sugar Creek Commons Hotel and Event Center to be located at 509 West Verona Avenue that would allow for the construction of a 120-room hotel and 350-seat conference event center.**

Sayre explained that this is the final step in the Planned Development process for the hotel that is part of the Sugar Creek Commons redevelopment project on West Verona Avenue.

Motion by Diaz, seconded by Manley, to open the public hearing at 7:43 p.m. Motion carried 5-0.

There were no public comments.

Motion by Diaz, seconded by Tucker Long, to close the public hearing at 7:44 p.m. Motion carried 5-0.

**a. Discussion & Possible Action – Precise Implementation Plan (PIP) for the Sugar Creek Commons Hotel and Event Center to be located at 509 West Verona Avenue that would allow for the construction of a 120-room hotel and 350-seat conference event center.**

Sayre explained that the property is immediately west of the former truck stop and east of the St. Vincent de Paul store. Currently, a metal storage building occupies the site. Initial review of this project was in October of 2017, an additional review took place in June of

2018, and the General Development Plan for the project was approved in September of 2018. The building runs lengthwise, north to south, and meets all applicable setback requirements. There is a shared access point with Sugar Creek Commons at the north end of the hotel property, and a dedicated access point to the parking lot on the west side of the hotel. At the back of the building, access will be shared by Sugar Creek Commons, the hotel, and St. Vincent de Paul. 153 parking stalls are planned, with 96 above ground and 57 underground. This is 103 stalls short of the number required by ordinance. There will be shared parking agreements with the Holiday Inn Express & Suites and the Fairfield Inn & Suites, as well as with St. Vincent de Paul. There is also additional parking in the Sugar Creek Commons mixed use portion of the project. Staff believes that by utilizing shared parking, there will be sufficient parking in the area. The event center will be at the front of the building. Brick and exterior insulation finishing system (EIFS) will be used on the front of the building. Staff would like to see the design more closely match the Sugar Creek Commons mixed use buildings.

Staff recommends approval of the PIP with the following conditions:

- a. The Applicant and Sugar Creek Commons shall enter into an easement agreement to allow the Applicant to utilize a portion of their property for access.
- b. The Applicant and St. Vincent de Paul shall enter into a shared parking agreement to allow the Applicant to utilize parking at St. Vincent de Paul.
- c. The Applicant and Holiday Inn Express & Suites and Fairfield Inn & Suites shall enter into a shared parking agreement to allow the Applicant to utilize parking at these two locations.
- d. The Applicant shall modify the building elevations to better compliment the Sugar Creek Commons development subject to Staff approval.

Heinzen asked if making conditions subject to Staff approval works well for them. He would also like to see the hotel design more closely match the Sugar Creek Commons buildings.

Sayre replied there is generally not a problem regarding Staff approval. The question is if the Commission is comfortable with Staff making that decision.

Tucker Long would like to see the quality standards of the materials used on the exterior of the hotel building match that of the buildings in Sugar Creek Commons. She asked if there will be a shared parking agreement with Sugar Creek Commons.

Sayre replied that a parking agreement with Sugar Creek Commons should be included in the approval conditions.

Motion by Tucker Long, seconded by Manley, to recommend to the Common Council to approve a Precise Implementation Plan (PIP) for the Sugar Creek Commons Hotel and Event Center to be located at 509 West Verona Avenue that would allow for the construction of a 120-room hotel and 350-seat conference event center, with the following conditions:

- a. The Applicant and Sugar Creek Commons shall enter into an easement agreement to allow the Applicant to utilize a portion of their property for access.
- b. The Applicant and St. Vincent de Paul shall enter into a shared parking agreement to allow the Applicant to utilize parking at St. Vincent de Paul.
- c. The Applicant and Holiday Inn Express and Suites and Fairfield Inn and Suites shall enter into a shared parking agreement to allow the Applicant to utilize parking at these two locations.

- d. The Applicant shall modify the building elevations to better compliment the Sugar Creek Commons development subject to Staff approval.
- e. The Applicant and Sugar Creek Commons shall enter into a shared parking agreement to allow the Applicant to utilize parking in the Sugar Creek Commons development.

Motion carried 5-0.

**9. Reports and comments from the Planning Department**

**a. Update on development projects.**

- The Attainment Company is in the process of pulling permits for their new building in Liberty Business Park.
- Seventeenth Radish on East Verona Avenue is in the process of wrapping up construction in the coming months.
- The UW Credit Union building is coming along well.
- Construction is moving quickly on the Festival Foods building. Their goal is to be open by November.
- Construction on the Lincoln Street apartments will begin in the next month.

Manley asked what we know about the plans for construction on the Summit Credit Union site.

Sayre replied there are no definitive plans for construction at this time, as some concerns about the site have come up.

**10. Reports and comments from the Plan Commissioners**

There were no reports or comments from the Plan Commissioners.

**11. Adjournment**

Motion by Bare, seconded by Tucker Long, to adjourn at 8:00 p.m. Motion carried 5-0.