

**City of Verona**  
**Minutes**  
**Plan Commission**  
**February 3, 2020**

1. **Call to Order:** Luke Diaz called the meeting to order at 6:00 p.m.
2. **Roll Call:** Mike Bare, Luke Diaz, Sarah Gaskell, Steve Heinzen, Pat Lytle and Scott Manley were present. Beth Tucker Long is expected to arrive shortly. Also present: City Administrator Adam Sayre; Community Development Specialist Katherine Holt; and AECOM Engineer Jess Billmeyer.
3. **Public Comment:** There were no comments by the public.
4. **Minutes:** Motion by Bare, seconded by Manley, to approve the January 6, 2020 Plan Commission Minutes. Motion carried 6-0.

5. **Discussion and Possible Action – Zoning and Sign Ordinance rewrite.**

Jackie Wells, of Houseal Lavigne, and Kurt Asprooth, of Ancel Glink, presented the findings from their analysis of the City's current Zoning Ordinance. The analysis includes an outreach summary, proposed ordinance structure, and preliminary recommendations. A nine article ordinance structure is being proposed. Preliminary recommendations include adding accessory dwelling units as a conditional use in the Residential Development land use category; breaking out multiunit buildings and complexes into separate intensity levels and making smaller scale multiunit developments permitted as a right, rather than a conditional use; updating off-street parking requirements and loading requirements; adding landscaping incentives; updating drive-through stacking length requirements; and updating Planned Unit Development provisions.

There were no comments from the Plan Commission.

Beth Tucker Long now present.

Mayor Diaz requested unanimous consent from the Plan Commission to move on to Item 9, as Items 6, 7 and 8 are scheduled to be heard after 6:30 p.m.

9. **Discussion and Possible Action – Certified survey map to dedicate additional right-of-way to be used for the new high school transportation improvements located at 142 Paoli Street.**

Sayre presented the Staff report. The Applicant is requesting approval of a certified survey map (CSM) to dedicate approximately 1,891 square feet of right-of-way needed to accommodate the construction of a right turn lane from Paoli Street onto South Nine Mound Road, providing access to the new Verona Area High School. The Velocity project is located on this property.

Gaskell asked if anything will be done with the intersection of Nine Mound Road and Legion Street, since there will be more traffic in the area.

Billmeyer replied islands will be added to the north side of the intersection that will move the stop signs to the center of the intersection.

Motion by Lytle, seconded by Bare, to recommend to the Common Council to approve a certified survey map to dedicate additional right-of-way to be used for the new high school transportation improvements located at 142 Paoli Street. Motion carried 7-0.

10. **Discussion and Possible Action – Initial review for Zander Solutions to construct two (2) buildings located at 421 South Nine Mound Road with access from Venture Court.**

Holt presented the Staff report. The Applicant is requesting an initial review to construct a 6,600 square foot building along Venture Court, and a 1,800 square foot storage building at

421 South Nine Mound Road. There are currently three buildings on the property, which will all remain. Access to the site will continue to be from South Nine Mound Road and Venture Court. Staff has no concerns regarding parking, assuming the cross-access easements and drainage easements are completed. The proposed 6,600 square foot building fronting Venture Court is a nineteen foot tall metal building with faux brick accent columns and windows on the façade facing Venture Court. The color of the building is not yet known. Staff is supportive of this building and a storage building.

Manley asked if the Applicant will own both properties.

Holt stated the Applicant does own both properties. The goal is to create two separate lots. It is a good idea to have cross-access agreements, in the event that the current owner no longer owns both properties at some point in the future.

Lytle asked the Applicant if the additional building facing Venture Court will be part of Zander Solutions operations going forward, or if that building is proposed as a development property at some point.

Brenda Schultz, Zander Solutions, replied the plan is an expansion of Zander Solutions, and will help alleviate storage issues.

No action was taken by the Commission.

#### **11. Reports and comments from the Planning Department**

##### **a. Update on development projects**

Sayre reported drywall is going up on the third floor of the Lincoln Street apartment complex; ACS on Whalen Road is under construction; Liberty Drive construction is primarily on hold pending warmer weather; and the buildings in the Market 5 development are taking shape. The Planning Director recruitment did not yield a candidate. Going forward through this year, Sayre and Holt will continue to handle Planning Department items. A new recruitment may be opened toward the end of this year, or early in 2021.

Lytle asked Sayre's opinion of the community response to the request for online feedback regarding the Zoning and Sign Ordinance rewrite.

Sayre replied the numbers were low. It is difficult to convince people to give feedback on something that isn't in front of them.

#### **12. Reports and comments from the Plan Commissioners**

There were no comments from the Plan Commissioners.

The Commission recessed at 6:28 p.m. and resumed at 6:30 p.m.

#### **6. Public Hearing – Conditional use permit amendment to the Epic Systems Corporation “Group Development” to allow for the construction of a workshop building located at 1979 Milky Way.**

Motion by Diaz, seconded by Tucker Long, to open the public hearing at 6:31 p.m. Motion carried 7-0.

There were no comments by the public.

Motion by Gaskell, seconded by Bare, to close the public hearing at 6:32 p.m. Motion carried 7-0.

##### **a. Discussion & Possible Action – Conditional use permit amendment to the Epic Systems Corporation “Group Development” to allow for the construction of a workshop building located at 1979 Milky Way.**

Holt explained Epic is proposing a 17,000 square foot building near the contractor annex on its campus. The building will be used for paint and wood work. Access will be from the existing road for the contractor annex building. The building will match the existing contractor annex building, and Staff has no concerns with the design. Landscaping requirements have been exceeded.

Motion by Manley, seconded by Tucker Long, to recommend to the Common Council to approve a conditional use permit amendment to the Epic Systems Corporation "Group Development" to allow for the construction of a workshop building located at 1979 Milky Way. Motion carried 7-0.

**b. Discussion & Possible Action – Site plan review for Epic Systems Corporation to allow for the construction of a workshop building located at 1979 Milky Way.**

Motion by Bare, seconded by Tucker Long, to approve the site plan review for Epic Systems Corporation to allow for the construction of a workshop building located at 1979 Milky Way. Motion carried 7-0.

**7. Public Hearing – General development plan (GDP) for a planned unit development (PUD) known as the Woods at Cathedral Point, located east of Range Trail, south of County Highway M, and west of the Ice Age National Scenic Trail that would allow for the construction of 139 single-family detached homes, 18 twin homes, and 100 multi-family units. The zoning map amendment would rezone Lot 35 to Urban Residential (UR), Lots 31-34 and Lots 46-59 to Mixed Residential (MR), the remaining lots to Neighborhood Residential (NR), and outlots 1, 2, 3, 4 and 6 to Public Institutional (PI).**

Motion by Diaz, seconded by Lytle, to open the public hearing at 6:39 p.m. Motion carried 7-0.

Brian Munson, Vandewalle & Associates, requested that the Plan Commission recommend to the Common Council to approve the final plat, general development plan, and zoning map amendment for the Woods at Cathedral Point.

Chris Ehlers, Veridian Homes, stated they are trying to create some housing diversity in the community. The first phase will include homes starting at just under \$280,000, up to more than \$500,000.

Motion by Tucker Long, seconded by Heinzen, to close the public hearing at 6:43 p.m. Motion carried 7-0.

Sayre explained this property consists of approximately 53 acres located at the southeast corner of Range Trail and County Highway M. Lot sizes range from 3,700 square feet to 12,000 square feet. The Applicant is requesting exemptions for minimum lot area, minimum street frontage, front yard setback, side yard setback, minimum dwelling unit separation, rear yard setback, and detached garage rear setback and height. Because this developer is developing the lots and building the houses, they have more control than a typical developer. Access points onto Range Trail are located at Chapel Royal Drive, Westminster Way and Whispering Pines Way, as well as an access point coinciding with the entrance to the new public works facility to the west. Sidewalks will be installed throughout the development. Two private alleyways are included in the development plan, and will be labeled as fire lanes to ensure that the City retains the ability to enforce parking regulations in these areas. Additional parking is proposed for Range Trail in front of the twin homes. Land dedicated to parkland purposes is sufficient.

Heinzen asked for confirmation about the rear yard for the buildings along the parkland area and where guests would park for these residences.

Sayre stated the rear yard would abut the alleyway. There is a sidewalk in front of the homes between the parkland. Street parking would be permitted, but alley parking would be prohibited.

Concern was raised over access to the larger park area in the middle of the development and Ice Age Trail access.

Bare asked for details regarding the covenants and conditions placed on the properties abutting the Ice Age Trail land. He followed with what conditions were required by the Ice Age Trail.

Ehlers replied the covenants have been sent to the Director of the Ice Age Trail Alliance. A berm will be built on any property that abuts the Trail, and vegetation species that are not flammable will be planted between the Trail and the homeowner's property. Homeowners will also be made aware that prairie burns will take place along the Trail at certain times of the year.

Sayre replied the Ice Age Trail board passed a resolution to accept the donation of the land provided that the buildings must be removed, remediated, or an acceptable contract is in place after property transfer, at no cost to the Alliance.

Diaz is happy with the compromises that are being made between the developer and the Ice Age Trail Alliance. He likes the variety of housing, but has concerns about housing costs. Diaz notes that adequate signage is important in the public park area to ensure it is a known public park.

Lytle is encouraged by the desire to include different housing types and price points in this development; however, he believes the five-foot side yard setbacks are too narrow. Developers will now expect narrow setbacks in the future for every development as a requirement.

Gaskell asked if maintenance for the sidewalk that abuts the alleyway twin homes and the green space next to them will be covered by the homeowners.

Munson replied the sidewalks on Range Trail will be maintained by the homeowners. The sidewalks within the parks are typically maintained by the homeowners association.

Gaskell asked if everything is in place for cluster mailboxes.

Munson stated he believes the developer has the cluster mailbox issue well in hand. Some are on outlots, while others are on private property. They have tried to scatter the mailboxes throughout the neighborhoods.

Tucker asked how the housing prices in this development match up with the City's requirements for affordable housing.

Sayre replied the City has no actual affordable housing requirements.

Tucker Long asked if there are any concerns regarding the stormwater pond flooding and cutting off trail access to the park.

Dan Day, D'Onofrio Kottke, replied the overflow area is in the northwest corner of the pond. The trail is set above the pond's 100-year flooding level.

Tucker Long does not like the segregation of housing types, and does not consider \$300,000 to be a reasonable price for a "starter house". She is also concerned that the large park will be misconstrued as part of people's back yards.

Gaskell asked if there is landscaping planned for the road frontage.

Munson replied the design of the basin is part of the landscape that goes all the way to the tree preservation area. The park will be highly visible along Range Trail.

**a. Discussion & Possible Action – Final plat for the Woods at Cathedral Point to create 158 lots and 7 outlots located at the southeast corner of County Highway M and Range Trail.**

Motion by Diaz, seconded by Gaskell, to recommend to the Common Council to approve the final plat for the Woods at Cathedral Point to create 158 lots and 7 outlots located at the southeast corner of County Highway M and Range Trail, with the following conditions:

- a. The final plat shall be modified to have private alleys labeled as fire lanes.
- b. The final plat shall become effective upon annexation of the property.
- c. The final plat shall become effective upon the execution of a development agreement.

Motion carried 4-3, with Bare, Heinzen and Tucker Long voting no.

**b. Discussion & Possible Action – GDP for a PUD to be located at the southeast corner of County Highway M and Range Trail that would allow for the construction of 39 single-family detached homes, 18 twin homes, and 100 multi-family units.**

Motion by Diaz, seconded by Gaskell, to recommend to the Common Council to approve a General Development Plan for the Woods Subdivision that would allow for the construction of 101 street-accessed single-family homes, 18 twin homes, 38 alley accessed single-family homes, and 100 multi-family units on 53 acres, with the following conditions:

- a. The General Development Plan shall become effective upon the execution of a development agreement.
- b. The General Development Plan shall become effective upon annexation of the property.

Motion carried 4-3, with Bare, Heinzen and Tucker Long voting no.

**c. Discussion & Possible Action – Zoning map amendment for the Woods at Cathedral Point to rezone Lot 35 to Urban Residential (UR), Lots 31-34 and Lots 46-59 to Mixed Residential (MR), the remaining lots to Neighborhood Residential (NR), and outlots 1, 2, 3, 4 and 6 to Public Institutional (PI) from their current classification of Rural Agricultural (RA).**

Motion by Diaz, seconded by Gaskell, to recommend to the Common Council to approve the zoning map amendment for the Woods Subdivision to rezone Lot 35 to Urban Residential (UR), Lots 31-34 and Lots 46-59 to Mixed Residential (MR), the remaining lots to Neighborhood Residential (NR), and outlots 1, 2, 3, 4 and 6 to Public Institutional (PI), with the following conditions:

- a. The zoning map amendment shall become effective upon the execution of a development agreement.
- b. The zoning map amendment shall become effective upon annexation of the property.
- c. For the property zoned UR, the property owner shall install and maintain a multi-family notification sign as outlined in the City's Residential Development Policy.

Motion carried 5-2, with Bare and Lytle voting no.

**8. Public Hearing – Zoning map amendment for 515 West Verona Avenue to rezone 0.224 acres from Rural Agricultural (RA) to Urban Commercial (UC).**

Motion by Diaz, seconded by Gaskell, to open the public hearing at 7:27 p.m. Motion carried 7-0.

There were no comments by the public.

Motion by Gaskell, seconded by Lytle, to close the public hearing at 7:28 p.m. Motion carried 7-0.

Sayre explained that this item refers to a strip of land that runs through the property upon which the Holiday Inn Express and Suites is located. The annexation will correct a mapping error that occurred at the time of the annexation. As part of the annexation, the City will be required to pay the taxes on this property to the Town of Verona for the next five years. This amounts to approximately \$17,000. The zoning map amendment is required to allow for the hotel on this property.

- a. **Discussion & Possible Action – Annexation petition to annex approximately 0.224 acres of land into the City of Verona. The proposed annexation is located at 515 West Verona Avenue. Specifically, the parcel is identified as parcel number 062/0608-164-9820-0.**

Motion by Lytle, seconded by Heinzen, to recommend to the Common Council to annex approximately 0.224 acres of land to the City of Verona.

Bare asked what the consequence to the City would be if the annexation were not approved.

Sayre replied the property would remain in the Town of Verona, and the City would lose the value of approximately \$995,000 that has been assessed on this property.

Motion carried 6-0, with Gaskell abstaining.

- b. **Discussion & Possible Action – Zoning map amendment for 515 West Verona Avenue to rezone 0.224 acres from Rural Agricultural (RA) to Urban Commercial (UC).**

Motion by Manley, seconded by Bare, to recommend to the Common Council to approve the zoning map amendment to rezone 0.224 acres of land from Rural Agricultural (RA) to Urban Commercial (UC). Motion carried 6-0, with Gaskell abstaining.

### **13. Adjournment**

Motion by Manley, seconded by Tucker Long, to adjourn at 7:33 p.m. Motion carried 7-0.

