

## MEMORANDUM

### Business Item A

From: Administrator/Staff  
To: Plan Commission  
Re: Plan Commission review & recommendation on a Site Plan Review Application submitted by RJ Albright, Inc. on behalf of Nikodem Revocable Trust for a 4,200 sq ft addition to the existing principal building and parking/pavement additions on Tax ID #006-1777-01 (2770 Towne Ct).

This agenda item was postponed at the September 13, 2023 meeting until the landscaping plan was in compliance with Town Ordinance. Staff sent a follow-up email to the applicant & contractors listing the below revisions that were needed prior to receiving Staff recommendation:

1. The existing site landscaping does not comply with the minimum landscaping required and approved at the time of original development approval in February 2018. Per the February 14, 2018 Plan Commission meeting minutes: *"The Landscaping Plan as proposed provides for vegetative cover on the north side, the east side, and the cul-de-sac frontage of the property. The plantings on the cul-de-sac frontage include 4 trees and various shrubs, the plantings on the north side of the building primarily grass cover the existing wetland vegetation, the plantings on the east side of the building include six evergreen trees and grass cover around the pond."* The Landscape Plan will need to be revised to bring the property into compliance with the 2018 approval.
2. The current development proposal requires the following landscaping per Attachment E, Landscape Design Standards, **in addition to** the minimum landscaping required at the time of the original 2018 development approval:
  - a. Grounds Landscaping:
    - i. 46 landscape points consisting of deciduous and evergreen trees, subject to the following limitations/requirements:
      1. Low deciduous trees shall not make up more than 50 percent (50%) of the total number of trees; and
      2. Evergreen trees shall make up at least 15 percent (15%) of the total number of trees.
    - ii. 31 landscape points consisting of deciduous and/or evergreen shrubs.
  - b. Building Landscaping: 75% of all building sides must be landscaped with a variety of appropriate plant materials in a wood mulch or stone landscaping bed which is a minimum of 6' wide measured from building façade.
3. The 2018 approval included 6 evergreen trees on the east side of the existing building for building screening purposes. The Plan Commission expressed that they want to see evergreen screening on along the entire east side of the building (existing building & proposed addition).

Staff did receive a revised plan on September 27, 2023. Please see the below follow-up comments from Code Administrator Kussow:

After review of the attached revised Landscape Plan for the Nikodem Site Plan Review Application, I have the following comments:

1. It appears the proposed landscaping will satisfy the landscaping requirements per the 2018 approval.
2. The proposed landscaping complies with minimum landscaping requirements for the current Site Plan Review Application for the proposed additions.

It is my opinion that this revised Landscape Plan may be put on a future Plan Commission meeting agenda for final approval at your discretion.

**Staff Recommendation & Suggested Conditions carried over from 9/13/23 Meeting:**

If the Town determines that the proposed exterior wall materials, roofing materials, and landscaping are acceptable, as proposed, it is staff's opinion that the Town may conditionally approve the site plan.

The following are possible conditions of approval that may be relevant to ensure compliance with ordinance requirements:

1. The project shall comply with all applicable local, state, and federal codes/ordinances.
2. The minimum planting size of landscaping materials at the time of planting/establishment shall be in compliance with Attachment E, Landscape Design Standards.
3. Any proposed signage shall comply with the applicable requirements of Article 12 and Attachment E of the Town Zoning Ordinance.
4. Any substantial changes and/or additions to the site plan and/or building plans shall be reviewed and approved by the Plan Commission and Town Board in accordance with the Town of Clayton Zoning Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Administrator.

**Suggested Motion:**

*Motion to recommend approval of the Site Plan Review Application submitted by RJ Albright on behalf of Nikodem Revocable Trust with all listed Staff Recommendations & Conditions.*

Respectfully Submitted,  
Kelsey