

PLAN COMMISSION
Minutes
March 27, 2023 | 4:30 p.m.

The Plan Commission met on the above date in Room 0041.

The following members were present: Jaynellen Holloway (Director of Public Works/City Engineer) (Acting Chair), Andrew Beyer PE (Deputy City Engineer), Brian Zirbes (Zoning Administrator), Alyse Talaga (Citizen Member), Melissa Lampe (Citizen Member), Nick Krueger (Citizen Member), and James Romlein PE (Recording Secretary)

Others Present: Rick & Sara Knutson, Jerry Keeser, Steve Anders, John Donovan

1. Call to order

2. Approval of Minutes

A Review and take action: Site Plan Review minutes dated March 13, 2023

Motion to approve Krueger, Second Lampe
Unanimous by voice vote

B Review and take action: Plan Commission minutes dated February 13, 2023

Motion to approve Romlein, Second Lampe
Unanimous by voice vote

C Review and take action: Plan Commission minutes dated March 13, 2023

Correction by Holloway, Minutes record Holloway as seconding the motion to adjourn, however Holloway did not attend the meeting.

Action needed to remove Holloway and, with concurrence, replace with Lampe as the Second.

Motion to approve the minutes as revised Lampe, Second Talaga
Unanimous by voice vote

3. Business

A Conduct public hearing: 1400 W. Main Street- Conditional Use Permit (CUP) request for outdoor display and sales of portable sheds under Section 550-33B(2)(e)

Chairperson Holloway opened Item 3 A and announced the matter and invited interested persons to speak:

Chairperson Holloway called for questions or comments - hearing none, closed the public hearing and opened the associated action item 3 B.

B Review and take action: 1400 W. Main Street- Conditional Use Permit (CUP) request for outdoor display and sales of portable sheds under Section 550-33B(2)(e)

Chairperson Holloway asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27, 2023
SUBJECT: 1400 W Main Street, Conditional Use Permit - CUP

A request by Rick and Sara Knutson, agents for Marten Portable Buildings, for a Conditional Use Permit (CUP) for Outdoor Display. Parcel PIN: 291-0915-3143-001

SITE DETAILS:

Acres: 14.15
Current Zoning: General Business
Existing Land Use: Commercial
Future Land Use Designation: Planned Mixed Use

BACKGROUND AND APPLICATION DESCRIPTION:

The applicant is seeking approval of a conditional use permit for Outdoor Display for a storage shed display and sales area on a portion of the Farm and Fleet Property. The dimensions of the Outdoor Display area will be approximately 111' x 213' (23,643 sq ft) and be located in the southeast corner of the Farm and Fleet Property. The storage sheds will be displayed year-round and there will be between 15 and 25 sheds on display at any given time.

STAFF EVALUATION:

Site Plan Review Committee:

See Minutes of March 27, 2023.

Land Use and Zoning:

1. Within the General Business (GB) Zoning District 'Outdoor Display' is a principal land use permitted as a Conditional Use [per § 550-33B(2)(e)]. 'Outdoor Display' includes all land uses which conduct sales or display sales outside of an enclosed building. The applicant has defined an area for outdoor sales on the site plan within which all displayed materials will be kept [per § 550-52D].

Applicable regulations for 'Outdoor Display' land uses include the following: [per § 550-52D(1)]

- The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.
 - The display of items shall not be permitted within required setback areas for the principal structure.
 - In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.
 - Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.
 - Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.
 - Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.
 - Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
 - Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e) above (see § 550-99).
2. Parking requirements of one space per 300 square feet of gross floor area will be met by utilizing the adjacent parking lots on the property [per § 550-52D(2)].
 3. Lighting for the site will utilize lights from the adjacent parking areas.

WISCONSIN STATUTES:

All Conditional Use Permits are subject to the requirements of Wisconsin Act 67.

Under 2017 Wisconsin Act 67: Section 16. 62.23 (7) (de) Conditional Use Permits.

1. 62.23 (7) (de)(1) In this paragraph:

- a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.
- b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

1. 62.23 (7) (de)(2)

- a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by

the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

a. 62.23 (7) (de)(3)

Upon receipt of a conditional use permit application and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

a. 62.23 (7) (de)(4)

Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

b. 62.23 (7) (de)(5)

If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

PLAN COMMISSION DECISIONS:

Outdoor Storage Land Use Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
1.The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.	Yes	No	Yes	No	Yes	No
2.The display of items shall not be permitted within required setback areas for the principal structure.	Yes	No	Yes	No	Yes	No
3.In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.	Yes	No	Yes	No	Yes	No
4.Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.	Yes	No	Yes	No	Yes	No
5.Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.	Yes	No	Yes	No	Yes	No
6.Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.	Yes	No	Yes	No	Yes	No

7. Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.	Yes	No	Yes	No	Yes	No
8. Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e) above (see § 550-99).	Yes	No	Yes	No	Yes	No

If Plan Commission answers "no" to any of the questions, above, the CU permit must be denied. Otherwise, proceed to the conditions of approval.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Deny the Conditional Use Permit, based on failure to provide substantial evidence to meet one or more of the regulatory standards.
2. **Approve the Conditional Use Permit without conditions, based on successfully providing substantial evidence of regulatory compliance.**
3. Approve the Conditional Use Permit with conditions as identified by the Plan Commission.

Holloway and Lampe initiated a brief discussion to confirm several issues to which Ms. Sara Knutson and Zirbes provided confirmation

Romlein - All conditions met? Zirbes Yes.

**Motion by Romlein to approve without conditions, Second by Krueger
Unanimous Approval by voice vote.**

C Conduct public hearing: 701 S. Church Street- Conditional Use Permit (CUP) request for outdoor display and sales of portable sheds under Section 550-33B(2)(e)

Chairperson Holloway opened Item 3 C and announced the matter and invited interested persons to speak:

Chairperson Holloway called for questions or comments - hearing none, closed the public hearing and opened the associated action item 3 D.

D Review and take action: 701 S. Church Street- Conditional Use Permit (CUP) request for outdoor display and sales of portable sheds under Section 550-33B(2)(e)

Chairperson Holloway opened Item 3 D and asked Admin. Zirbes to present the issue:

TO: Plan Commission

DATE: March 27, 2023

SUBJECT: 701 S Church Street, Conditional Use Permit - CUP

A request by Secure Storage of Watertown LLC for a Conditional Use Permit (CUP) for Outdoor Display. Parcel PIN: 291-0815-0431-052

SITE DETAILS:

Acres: 7.88

Current Zoning: General Business

Existing Land Use: Commercial

Future Land Use Designation: Central Mixed Use

BACKGROUND AND APPLICATION DESCRIPTION:

The applicant is seeking approval of a conditional use permit for Outdoor Display for a storage shed display and sales area on a portion of the Secure Storage of Watertown property. The Outdoor Display area will be approximately 7,200 sq ft and be located in the northwest corner of the property. The storage sheds will be displayed year-round and there will be between 10 and 12 sheds on display at any given time. Pavement markings will be installed to delineate the display areas from the vehicular parking and circulation areas. Hours of operation will be 9am to 5pm Monday thru Friday and 9am to 1pm on Saturdays.

STAFF EVALUATION:

Site Plan Review Committee:
See Minutes of March 27, 2023.

Land Use and Zoning:

4. Within the General Business (GB) Zoning District 'Outdoor Display' is a principal land use permitted as a Conditional Use [per § 550-33B(2)(e)]. 'Outdoor Display' includes all land uses which conduct sales or display sales outside of an enclosed building. The applicant has defined an area for outdoor sales on the site plan within which all displayed materials will be kept [per § 550-52D].

Applicable regulations for 'Outdoor Display' land uses include the following: [per § 550-52D(1)]

- The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.
 - The display of items shall not be permitted within required setback areas for the principal structure.
 - In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.
 - Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.
 - Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.
 - Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.
 - Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.
 - Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e) above (see § 550-99).
5. Parking requirements of one space per 300 square feet of gross floor area will be met by utilizing the adjacent parking lots on the property [per § 550-52D(2)].
 6. Lighting for the site will utilize lights from the adjacent parking areas.

WISCONSIN STATUTES:

All Conditional Use Permits are subject to the requirements of Wisconsin Act 67.

Under 2017 Wisconsin Act 67: Section 16. 62.23 (7) (de) Conditional Use Permits.

1. 62.23 (7) (de)(1) In this paragraph:

- a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.*
- b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

ii. 62.23 (7) (de)(2)

- a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.*
- b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.*

iii.62.23 (7) (de)(3)

Upon receipt of a conditional use permit application and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

iii.62.23 (7) (de)(4)

Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

iv. 62.23 (7) (de)(5)

If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

PLAN COMMISSION DECISIONS:

Outdoor Storage Land Use Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
	Yes	No	Yes	No	Yes	No
1.The display of items shall not be permitted in permanently protected green space areas, required landscaped areas, or required bufferyards.	Yes	No	Yes	No	Yes	No
2.The display of items shall not be permitted within required setback areas for the principal structure.	Yes	No	Yes	No	Yes	No
3.In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of § 550-107. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.	Yes	No	Yes	No	Yes	No
4.Display areas shall be separated from any vehicular parking or circulation area by a minimum of 10 feet. This separation shall be clearly delimited by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.	Yes	No	Yes	No	Yes	No
5.Signs, screening, enclosures, landscaping or materials being displayed shall not interfere in any manner with either on-site or off-site traffic visibility, including potential traffic/traffic and traffic/pedestrian conflicts.	Yes	No	Yes	No	Yes	No
6.Outdoor display shall be permitted during the entire calendar year; however, if goods are removed from the display area, all support fixtures used to display the goods shall be removed within 10 calendar days of the goods' removal.	Yes	No	Yes	No	Yes	No
7.Inoperative vehicles or equipment, or other items typically stored or displayed in a junkyard or salvage yard, shall not be displayed for this land use.	Yes	No	Yes	No	Yes	No
8.Facility shall provide a bufferyard with a minimum opacity of 0.60 along all borders of the display area abutting residentially zoned property, except per Subsection D(1)(e) above (see § 550-99).	Yes	No	Yes	No	Yes	No

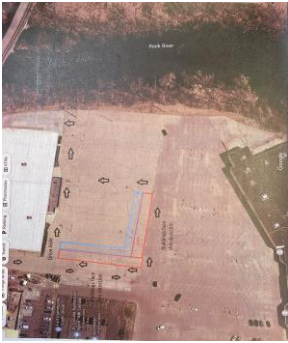
If Plan Commission answers "no" to any of the questions, above, the CU permit must be denied. Otherwise, proceed to the conditions of approval.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

4. Deny the Conditional Use Permit, based on failure to provide substantial evidence to meet one or more of the regulatory standards.
5. **Approve the Conditional Use Permit without conditions, based on successfully providing substantial evidence of regulatory compliance.**
6. Approve the Conditional Use Permit with conditions as identified by the Plan Commission.

Lampe initiated a brief discussion on the orderly arrangement of property objects in the public vista.



Lampe asked a question on the perpetuity of conditions within a CUP. Holloway and Zirbes provided the information.

Applicant provided a picture of the area in question to assist the discussion.

The petitioner and commission members also discussed other security concerns and related issues which are not detailed in these minutes.

The petitioner agreed to provide security capabilities and will coordinate with the appropriate Municipal entities. This action is not a condition of the CPU, it is a pledge by the participant.

**Motion by Krueger to approve without conditions, Second Talaga
Unanimous by voice vote**

E Review public hearing comments and make recommendation to Common Council: 713 Milford Street - rezoning request for a portion of the property from SR-4, Single-Family Residential to PO, Planned Office and Institutional

Chairperson Holloway opened Item 3 E and asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27, 2023
SUBJECT: Recommendation to Council – 713 Milford St Street Rezoning

A rezoning requested by Hoffman Matz LLC to change the zoning on a portion of a parcel located at 713 Milford Street from Single-Family Residential Zoning to Planned Office and Institutional Zoning. Parcel PIN: 291-0815-0813-000

SITE DETAILS:

Acres: 32.54

Current Zoning: Planned Office and Institutional & Single-Family Residential

Existing Land Use: Institutional

Future Land Use Designation: Planned Neighborhood & Planned Mixed Use

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation of a strip of land along the northern edge of the property from Single-Family Residential Zoning to Planned Office and Institutional Zoning. The purpose of the rezoning is to align the Planned Office and Institutional Zoning District boundary with the north property line. The property line changed due to a Certified Survey Map adopted last year. The rezoning would put the entire parcel under the Planned Office and Institutional Zoning District.

STAFF EVALUATION:

Land Use and Zoning:

Nearby Future Land Use designations include Planned Neighborhood to the north and Planned Mixed Use to the south. The parcel itself exists partially in both the Planned Neighborhood & Planned Mixed Use Future Land Use Categories.

Nearby Zoning includes Single-Family Residential Zoning to the north and Planned Office and Institutional Zoning to the south.

Zoning Code

The zoning code requires the Plan Commission to review rezoning requests and make a recommendation to the Common Council.

Per Section § 550-141G:

G. Review and recommendation by the Plan Commission. *The Common Council shall not make an amendment to the Official Zoning Map without allowing for a recommendation from the Plan Commission per the provisions of this subsection.*

(1) *Within 60 days after the public hearing (or within an extension of said period requested in writing by the applicant and granted by the Plan Commission), the Plan Commission shall make a written report to the Common Council stating its findings regarding Subsection D above and its recommendations regarding the application as a whole. Said report shall include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection D(3)(a) through (c).*

(2) *If the Plan Commission fails to make a report within 60 days after the filing of said complete application [and in the absence of an applicant-approved extension per Subsection G(1) above], then the Common Council may act on the application within 30 days after the expiration of said sixty-day period. Failure to receive said written report from the Plan Commission per Subsection G(1) above shall not invalidate the proceedings or actions of the Common Council.*

(3) *If the Plan Commission recommends approval of an application, it shall state in the minutes or in a subsequently issued written decision its conclusion and any finding of facts supporting its conclusion as to the following: that the potential public benefits of the proposed amendment outweigh any and all potential adverse impacts of the proposed amendment, as identified in Subsection D(3)(a) through (c) above, after taking into consideration the proposal by the applicant*

PUBLIC HEARING COMMENT:

Public comments from the March 21, 2023 Public Hearing before the Common Council, if any, are attached.

OPTIONS:

The following are possible options for the Plan Commission:

1. Negative recommendation of the Rezoning to Common Council.
- 2. Positive recommendation of Rezoning to Common Council.**
3. Positive recommendation of the Rezoning to Common Council, with conditions identified by the Plan Commission.

**Motion by Lampe to approve with a positive recommendation to Council, Second Krueger
Unanimous by voice vote**

F Review public hearing comments and make recommendation: 407 S. Washington Street rezoning request from TR-6, Two Family Residential to CB, Central Business

Chairperson Holloway opened Item 3 F and asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27, 2023
SUBJECT: Recommendation to Council - 407 S Washington Street Rezoning

A rezoning requested by Jerome Keeser to change the zoning on a portion of a parcel located at 407 S Washington Street from Two Family Residential Zoning to Central Business District Zoning. Parcel PIN: 291-0815-0424-059

SITE DETAILS:

Acres: 0.32

Current Zoning: Two-Family Residential

Existing Land Use: Single Family Residential & Commercial

Future Land Use Designation: Two-Family Residential

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the zoning designation of the eastern 6,514 sq ft of the parcel from Two-Family Residential Zoning to Central Business District Zoning. A Plan

Amendment and Certified Survey Map related to the rezoning are also pending. This rezoning will run concurrently with the Comprehensive Plan Amendment. The parcel cannot be rezoned without adoption of the associated Comprehensive Plan Amendment.

STAFF EVALUATION:

Land Use and Zoning:

Nearby Future Land Use designations include Central Mixed Use directly adjacent to the south, as well as, across the street to the east and to the north. Two-Family Residential Future Land Use exists to the west.

Nearby Zoning includes Central Business District Zoning directly adjacent to the south, Neighborhood Business Zoning directly adjacent to the north, and Central Business District Zoning with a Planned Unit Development Overlay across the street to the east. Two-Family Residential Zoning exists to the west.

Zoning Code

The zoning code requires the Plan Commission to review rezoning requests and make a recommendation to the Common Council.

Per Section § 550-141G:

G. Review and recommendation by the Plan Commission. *The Common Council shall not make an amendment to the Official Zoning Map without allowing for a recommendation from the Plan Commission per the provisions of this subsection.*

(1) *Within 60 days after the public hearing (or within an extension of said period requested in writing by the applicant and granted by the Plan Commission), the Plan Commission shall make a written report to the Common Council stating its findings regarding Subsection D above and its recommendations regarding the application as a whole. Said report shall include a formal finding of facts developed and approved by the Plan Commission concerning the requirements of Subsection D(3)(a) through (c).*

(2) *If the Plan Commission fails to make a report within 60 days after the filing of said complete application [and in the absence of an applicant-approved extension per Subsection G(1) above], then the Common Council may act on the application within 30 days after the expiration of said sixty-day period. Failure to receive said written report from the Plan Commission per Subsection G(1) above shall not invalidate the proceedings or actions of the Common Council.*

(3) *If the Plan Commission recommends approval of an application, it shall state in the minutes or in a subsequently issued written decision its conclusion and any finding of facts supporting its conclusion as to the following: that the potential public benefits of the proposed amendment outweigh any and all potential adverse impacts of the proposed amendment, as identified in Subsection D(3)(a) through (c) above, after taking into consideration the proposal by the applicant*

PUBLIC HEARING COMMENT:

Public comments from the March 21, 2023 Public Hearing before the Common Council, if any, are attached.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

1. Negative recommendation of the Rezoning to Common Council.
2. Positive recommendation of Rezoning to Common Council.
3. **Positive recommendation of the Rezoning to Common Council, with conditions identified by the Plan Commission.**

Chairperson Holloway called for comments:

Motion by Lampe to approve.

Zirbes recommended a Positive recommendation of the Rezoning to Common Council, with conditions identified by the Plan Amendment.

Lampe moved for approval as recommended, Second by Krueger

Unanimous by voice vote

G Review public hearing comments and make recommendation: 407 S. Washington Street Comprehensive Plan Amendment.

Chairperson Holloway opened Item 3 G and asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27th, 2023
SUBJECT: Recommendation to Council - 407 S Washington Street Comprehensive Plan Amendment

A Comprehensive Plan Amendment requested by Jerome Keeser to change the Future Land Use designation on a portion of parcel located at 407 S Washington Street. Parcel PIN: 291-0815-0424-059

SITE DETAILS:

Acres: 0.32

Current Zoning: Two-Family Residential

Existing Land Use: Single Family Residential & Commercial

Future Land Use Designation: Two-Family Residential

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to change the Future Land Use designation of the eastern 6,514 sq ft of the parcel from Two-Family Residential to Central Mixed Use. A rezoning and Certified Survey Map related to the Comprehensive Plan Amendment are also pending. This Comprehensive Plan Amendment will run concurrently with the rezoning. The parcel cannot be rezoned without adoption of the associated Comprehensive Plan Amendment.

STAFF EVALUATION:

Land Use and Zoning:

Nearby Future Land Use designations include Central Mixed Use directly adjacent to the south, as well as, across the street to the east and to the north. Two-Family Residential Future Land Use exists to the west.

Nearby Zoning includes Central Business District Zoning directly adjacent to the south, Neighborhood Business Zoning directly adjacent to the north, and Central Business District Zoning with a Planned Unit Development Overlay across the street to the east. Two-Family Residential Zoning exists to the west.

Wisconsin Statutes

Per the Wisconsin Statutes it is the role of the Plan Commission to prepare a Comprehensive Plan Amendment and recommend the amendment to Council.

Per Wis. Stat. § 66.1001(4)(b):

*(b) The plan commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan **may** recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by a majority vote of the entire commission. The vote shall be recorded in the official minutes of the plan commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan.*

Comprehensive Plan Goals, Objectives, and General Policies:

The 2019 Watertown Comprehensive Plan includes goals, objectives, and general policies for the Plan Commission to consider when reviewing Comprehensive Plan amendments.

Land Use Goals, Objectives, and General Policies

Goal:

- i. Promote a future land use pattern that is harmonious with the natural landscape, features visually attractive development, and is economically viable.*

Objectives:

- 1. Ensure that a desirable balance and distribution of land uses is achieved.*
- 2. Maintain high standards in the Zoning Ordinance for buildings, landscaping, signage, building materials, and parking lots.*
- 3. Ensure that conflicts between neighboring land uses are minimized with logical land use transitions and bufferyards.*
- 4. Utilize existing public facilities to serve new development whenever possible.*
- 5. Coordinate land development with transportation system improvements.*

6. *Encourage City landowners to open up suitable undeveloped areas for new development as the need arises.*

Policies:

- i. *Prioritize infill and redevelopment opportunities, especially downtown and along the river, before new greenfield development along the City's boundaries.*
- ii. *Direct new housing development in locations with convenient access to commercial and recreational facilities, transportation systems, schools, employment opportunities, and other necessary facilities and services.*
- iii. *Require all new development within Watertown's long-term growth area to be served with the full array of municipal services (e.g. sanitary sewer, storm sewer, municipal water, police, fire, etc.) unless covered by an intergovernmental agreement.*
- iv. *Encourage the strengthening of existing neighborhoods through maintenance of the existing housing stock, creative reuse of vacant or under-utilized buildings, and infill on vacant parcels.*
- v. *Require all proposed residential developments to dedicate land, or pay a fee in lieu thereof, for public park, recreation, and open space acquisition and development.*
- vi. *Strive for compatibility of adjacent land uses by requiring site plan review for all multi-family residential, commercial, office, industrial, recreational, and institutional land uses.*
- vii. *Buffer incompatible land uses from each other through the strategic use of plant materials, decorative fences, walls, or berms.*
- viii. *Require new development and redevelopment projects to include high quality building design, landscaping, stormwater best management practices, and signage and to meet at least the minimum landscaping and performance standards as codified in the City's Zoning Ordinance.*
- ix. *Encourage that new residential development within the Planned Neighborhood designation comply with the City's historic housing mix. The desired mix of residential uses in any neighborhood should be mostly single-family (approximately 50 percent), generally with no more than 20 percent of dwelling units being duplex units and not more than 30 percent being multi-family units.*
- x. *Require detailed development plans that include: (1) proposed land use pattern of the area; (2) recommended zoning for the area; (3) recommended lot pattern; (4) location of necessary municipal utilities; (5) locations of parks, open space, and civic or institutional buildings; (6) proposed street system that will serve the area; and (7) a development phasing timetable so the City can coordinate capital improvements with the development of the area.*
- xi. *Factor public health into the site plan review process through the addition of specific criteria in which new development, redevelopment, and infill development must be addressed in order to integrate land use planning, transportation, and public health.*
- xii. *Work with Jefferson and Dodge Counties, in addition to all surrounding Townships on future land use planning within the City's Extraterritorial Jurisdiction to promote intergovernmental cooperation and a unified future planning of development and services. Seek intergovernmental agreements with all surrounding Townships.*
- xiii. *Reevaluate the City's supply and demand for industrial land every 5 years.*
- xiv. *Develop detailed neighborhood plans for the Bethesda campus between Milford Street and the Rock River in order to foster high-quality and well-planned future development.*

PUBLIC HEARING COMMENT:

Public comments at the March 21, 2023 Public Hearing before the Common Council, if any, are attached.

PLAN COMMISSION OPTIONS:

The following are possible options for the Plan Commission:

- i. Negative recommendation of the Comprehensive Plan Amendment to Common Council.
- ii. Positive recommendation of Comprehensive Plan Amendment to Common Council.
- iii. Positive recommendation of the Comprehensive Plan Amendment to Common Council, with conditions identified by the Plan Commission

Chairperson Holloway asked if any conditions should be incorporated in the motion.

Zirbes advised that the motion should include the condition that the associated rezoning action be approved.

**Motion by Lampe to approve as recommended, Second by Krueger
Unanimous by voice vote.**

H Review and take action: 407 S. Washington Street Certified Survey Map (CSM)

Chairperson Holloway opened Item 3 H and asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27th, 2023
SUBJECT: 407 S Washington Street - Preliminary Certified Survey Map

A Certified Survey Map (CSM) requested by Jerome Keeser to split a parcel located at 407 S Washington Street. Parcel PIN: 291-0815-0424-059

SITE DETAILS:

Acres: 0.32
Current Zoning: Two-Family Residential
Existing Land Use: Single Family Residential & Commercial
Future Land Use Designation: Two-Family Residential

BACKGROUND & APPLICATION DESCRIPTION:

The applicant is proposing to create a two lot Certified Survey Map. Lot 1 will consist of the western 8,051 sq ft of the current parcel and Lot 2 will consist of the eastern 6,514 sq ft of that parcel. A Comprehensive Plan Amendment and rezoning related to this CSM are also pending.

STAFF EVALUATION:

There are no right-of-way issues, the preliminary CSM divides an existing platted lot. The parcel is not within the Airport Approach Protection Zone. If approved, this CSM must be adopted concurrently with the pending Comprehensive Plan Amendment and rezoning.

PLAN COMMISSION OPTIONS:

The following possible options for the Plan Commission:

1. Deny the preliminary CSM.
2. Approve the preliminary CSM without conditions.
3. Approve the preliminary CSM on the condition that the related Comprehensive Plan Amendment and rezoning are approved by the Common Council.
4. Approve the preliminary CSM with other conditions as identified by the City of Watertown Plan Commission.

Chairperson Holloway asked for discussion or a motion. Hearing no discussion, asked for a motion to approve on the condition that the related Comprehensive Plan Amendment and rezoning are approved by the Common Council.

**Motion by Romlein to approve as requested, Second by Lampe
Unanimous by voice vote.**

I Initial review and schedule public hearing: Hunter Oaks Planned Unit Development Plan (PUD) General Development Plan (GDP)

Chairperson Holloway opened Item 3 and asked Admin. Zirbes to present the issue:

TO: Plan Commission
DATE: March 27, 2023
SUBJECT: Hunter Oaks PUD Initial Review and Set Public Hearing Date

Initial Review and Setting of a Public Hearing Date for a Planned Unit Development (PUD) General Development Plan (GDP) requested by John Donovan, agent for Bielinski Homes Inc., Hunter Oaks Subdivision, West Street, Watertown, WI. Parcel PIN(s): 291-0815-0642-005, 291-0815-0642-004, 291-0815-0642-003, 291-0815-0642-006, 291-0815-0642-007, 291-0815-0643-001 & [291-0815-0644-022](#)

SITE DETAILS:

Acres: 58.89
Current Zoning: PUD Overlay
Existing Land Use: Undeveloped

Future Land Use Designation(s): Neighborhood Mixed Use, Multi-Family, Two Family, & Single-Family

BACKGROUND AND APPLICATION DESCRIPTION:

Applicant is seeking an initial review and the setting of a public hearing date by the Plan Commission for a Planned Unit Development (PUD) General Development Plan (GDP). The proposal looks to revise a now expired General Development Plan from 2017. The proposal consists of 27 two-family Ranch Style Condominiums, 34 two-family Sabrina Ranch Style condominiums, and 91 single-family home lots. Changes to the GDP proposal as a result of comments from Plan Commission and Site Plan Review Committee have been incorporated into the attached GDP and are highlighted. These changes include clarification of the park dedication and access, as well as private roadway widths.

STAFF EVALUATION:

Land Use and Zoning:

The proposed PUD General Development Plan is requesting flexibilities to Zoning Standards as allowed under Section § 550-152B of the Zoning Code. For the proposed condominiums, the applicant seeks to reduce the Minimum Lot Area requirements from 4,350 sq. ft. per dwelling unit to 2,600 sq. ft. per dwelling unit and reduce the Minimum Street Yard from 40 ft to 25 ft.

An additional flexibility requested by the applicant is the use of condominium plats for a few areas of the proposed development. Approval of this flexibility would allow multiple principal structures per lot and private streets.

Flexibilities allowed by a Planned Unit Development under Section § 550-152B:

B. Provision of flexible development standards for planned unit developments.

- (1) Permitted location. Planned unit developments shall be permitted with the approval of a Planned Unit Development Overlay Zoning District specific to the approved planned unit development.*
- (2) Flexible development standards. The following exemptions to the development standards of the underlying zoning district may be provided with the approval of a planned unit development:*
 - (a) Land use requirements. All land uses listed as "residential," "institutional" or "commercial" may be permitted within a planned unit development.*
 - (b) Density and intensity requirements. All requirements listed for residential density and nonresidential intensity may be waived within a planned unit development.*
 - (c) Bulk requirements. All residential and nonresidential bulk requirements may be waived within a planned unit development.*
 - (d) Landscaping requirements. All landscaping requirements may be waived within a planned unit development.*

Chairperson Holloway opened discussion with a question to the nature of the vacant adjacent property.

Mr. Donovan provided the information requested and also noted items that may possibly be presented in the next plan revision.

Motion to set the Public Hearing date to 3 April 2023 by Lampe, Second by Talaga.

Unanimous by voice vote.

4. Adjournment

Chairperson Holloway opened Item 4 and asked for a motion to adjourn.

Motion to Adjourn by Romlein, Second by Lampe. Unanimous approval by Voice Vote

Meeting closed at 5:07 pm

**Respectfully Submitted,
James W. Romlein Sr. PE
Recording Secretary**

Note: These meeting notes are uncorrected, and any corrections made will thereto be noted in the proceedings at which these minutes are approved.