

MINUTES OF THE PLANNING COMMISSION MEETING

September 16, 2020

The meeting of the Planning Commission of the Village of Slinger was called to order at 218 Slinger Road, Slinger, WI at 6:43 PM on Wednesday, September 16, 2020 in accordance with the notice of meeting delivered to the members on September 11, 2020.

1. Call to Order - Noting of Roll (Note this is a condensed version of the agenda)

	<u>Present</u>	<u>Absent</u>
Diana Behrend		x
Monica Ammerman	x	
Robert Stuetgen	x	
Tom Lehn		x
Elida Erovick	x	
Russel Brandt	x	
Lee Fredericks	x	
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Also Present:

Margaret Wilber Administrator, Mary Censky Planner/Zoning Administrator, Jim Haggerty Engineer, Tammy Tennes Clerk, Jackie Mich with Vandewalle & Associates and Eric Larson Village Attorney.

President Brandt informed the members present that the open meeting law had been complied with in connection with the meeting. Notice of the meeting was sent to all who requested same and posted in three public locations.

2. Approval of Minutes

A. 8-12-2020 Minutes DRAFT

Motion Commissioner Fredericks/Commissioner Stuetgen to approve the minutes of 8-12-2020 as presented; Passed

3. Public Hearing and Action Thereon

- A. **Review, consideration and possible recommendation to the Village Board to rezone the following parcels to the B-1 Commercial District: 209 Kettle Moraine Dr. S/V5-022300A, 105 Tennes Dr./V5-023200A002, 137 Community Park/V5-002200C, 116 Kettle Moraine Dr. S/V5-003100A, 124 Kettle Moraine Dr. S/V5-003200B, 110 Hill St/V5-003300D adjacent to 110 Hill St/V5-003300E, 104 Polk St/V5-003200C, 128 Kettle Moraine Dr. S/V5-003600A, 105 Buchanan St/V5-007900A, 312-314 Kettle Moraine Dr. S/V5-0052, 316-318 Kettle Moraine Dr. S/V5-0053 & 400 Kettle Moraine Dr. S V5-0054)**

Administrator Wilber read the notice of public hearing and stated that no comments had been received.

Chairman Brandt opened the hearing to the public at 6:51pm.

Mr. Peter Nichols, 495 W. Washington St. Slinger, WI commented that he was in favor of the rezoning and expressed his appreciation for all that the Village does for the residents.

Mr. Tim Burg, 316 & 318 Kettle Moraine Dr. S Slinger, WI expressed his frustration with the possible rezoning of his property.

Mrs. Hope David, 124 Kettle Moraine Dr. S Slinger, WI expressed her concern about the rezoning as her property has been rezoned in the past.

Mrs. Nancy Maher, 137 Community Dr. Slinger, WI is not in favor of her property being rezoned.

Mrs. Suzie Krueger, 204 Lawndale Ave. Slinger, WI expressed her concern about the changes the Villages is proposing and does not support rezoning.

Mrs. Betty Vollrath, 104 Polk St. Slinger, WI is not in favor of her property being rezoned and has concerns about how a change in zoning will affect her insurance coverage.

Mr. Jeff Patasius, 105 Tennes Dr. Slinger, WI is not in favor of his property being rezoned. He has concerns about property values and non-conforming issues.

Ms. Lisa Freitag, 105 Tennes Dr. Slinger, WI also is not in favor of her property being rezoned and stated that her father, Robert Freitag, 142 Kettle Moraine Dr. N Slinger, WI, who was unable to attend the meeting, is also not in favor of having his property rezoned.

Mr. Aaron Gavin, 312-314 Kettle Moraine Dr. S Slinger, WI is not in favor of his property being rezoned.

Mrs. Sherra Burg, 316 & 318 Kettle Moraine Dr. S Slinger WI is not in favor of her property being rezoned and expressed her concerns about home mortgage and insurance coverage issues.

There being no further comments, the hearing was closed at 7:02pm.

Planner Censky noted that the predominant zoning in the downtown area is already B-1 and among the uses permitted by right in the B-1 are “Single family dwellings constructed prior to August 14, 2002.” So even with the proposed zoning changes, their single-family homes will continue to be legal, conforming, permitted uses. As far as assessments go, assessment in Wisconsin are done on a use basis, not a zoning basis, so a single-family home use, whether in B-1 Zoning or in Residential Zoning, should not experience a change in its value just based on the zoning change.

Attorney Larson affirmed that the value for assessment purposes doesn't change based on zoning because in Wisconsin assessed value is based on actual use of the property. He also noted that with some Commercial Districts, single-family use would become legal nonconforming upon rezoning but not in the B-1 because single-family uses constructed prior to August 14, 2002 is listed there as permitted.

Comments were made by the public that they were not aware of all these changes prior to this meeting.

Administrator Wilber noted that the Village has been in the process of revitalizing the downtown for some time. She stated that in the last few years there have been vision meetings conducted by UW Extension and Vandewalle & Associates open to the public.

Ms. Jackie Mich representing Vandewalle and Associates commented rezoning would not prevent anyone from continuing the use they currently have. She noted that the rezoning is a recommendation by the Planner and the

Planning Commission has the option to view each property individually and make a decision if rezoning is something they would like to do.

Discussion was held about renaming the B-1 Commercial to Mixed Use. It was noted that a language change could not be done tonight as an amendment to the Code is necessary for that type of a change.

Commissioners discussed tabling the vote on this matter until after the Redevelopment Authority(RDA) meeting, which is scheduled for October 14, 2020 at 6pm. They noted that since the RDA meeting was adjourned and rescheduled without discussion on matters that relate to this public hearing, this vote should be held after the RDA has met and discussion has been held with the public on this matter.

Motion Commissioner Stuetzgen/Commissioner Fredericks to table the vote on this public hearing; Passed

- B. Review, consideration and possible recommendation to the Village Board to modify the text of the Village's Zoning Code regarding the following: Add Bed & Breakfast, Micro Brewery, Winery, Mixed Use Development and Single-family Residential Dwelling if located south/southwest of Buchanan Street and Polk Street to the B-1 and/or B-2 Districts, to add Churches, Synagogues, Schools, or Similar Institutional Uses or Places of Religious Worship as a Conditional Use in the M-1 District, and to modify/rephrase Sections 550-28 B. (5), 550-28 C. (4) and 550.58 E. of the Village Code.**

Clerk Tennes read the notice of public hearing and stated no comments had been received.

Chairman Brandt opened the hearing to the public at 7:41pm and there being no comments, the hearing was closed at 7:42pm.

Chairman Brandt stated that these modifications to the Village's Zoning Code have previously been discussed.

Motion Commissioner Fredericks/Commissioner Erovick to approve the above listed modifications to the text of the Village's Zoning Code; Passed

- C. Review and possible approval of a Conditional Use Permit request to locate a church use (worship and congregation center) at 206 Slinger Road. The property is zoned M-1 Limited Manufacturing District. The applicant is Mosaic Church in c/o Jason Montano. The property owner is Richard O Hansen Revocable Trust.**

Chairman Brandt read the notice of public hearing and Clerk Tennes noted that no comments had been received.

Chairman Brandt opened the hearing to the public at 7:46pm and there being no comments, the hearing was closed at 7:47pm.

Commissioner Erovick inquired about the hours of operation or the lack thereof in the conditional use permit (CUP).

Planner Censky noted that it is common for a religious organization not to limit the hours of operation and recommended that #4 of the CUP be removed.

Motion Commissioner Stuetzgen/Commissioner Ammerman to approve the Conditional Use Permit for the Mosaic Church, 206 Slinger Rd. subject to removing #4, hours of operation; Passed

- 4. Unfinished Business and Action Thereon - None**
- 5. New Business and Action Thereon**

- A. Review, consideration and possible recommendation to the Village Board of proposed amendments to the "Village of Slinger Comprehensive Plan" adopted 11-20-2017. The Comprehensive Plan sets the policy for the growth, development, and preservation of the community. The proposed amendments would modify the Future Land Use Map (Maps 10a & 10b) of the Plan document. Also, Adoption of Resolution P09-05-2020 - A Resolution Recommending Amendments to the Village of Slinger Comprehensive Plan**

Ms. Jackie Mich discussed the proposed amendments to the Village of Slinger Comprehensive Plan and noted that zoning is not affected in the proposed amendments. She noted that a resolution recommending these amendments needs to be adopted by the Planning Commission.

Chairman Brandt noted that he is in favor of sending this item to the Village Board.

Motion Commissioner Erovick/Commissioner Fredericks to forward Resolution 09-05-2020- A resolution recommending amendments to the Village of Slinger Comprehensive Plan, to the Village Board; Passed

- B. Concept review of a plan to plat a new subdivision including both single family detached lots and an area for duplex condominium (i.e. Farmstead Creek North). The property is currently zoned RD-1 PUD, Two Family Residential District with Planned Unit Development District Overlay. The applicant and property owner is Farmstead Creek Development LLC in c/o David and Don Weyer**

Chairman Brandt noted that this is a concept review and the Commission is not denying or approving this matter at this time.

Planner Censky noted that the applicants David and Donald Weyer are proposing a concept 42+/-lot single-family residential plat and including a 5-acre set-aside for future condominium (duplex type) development. She stated that this site will utilize full municipal sewer, water and utility services and is within the Village's planned sanitary sewer and water service area.

Engineer Haggerty commented that road right-of-way would need to be changed, but staff does not view this as an issue.

- C. Review and possible recommendation of a Certified Survey Map to divide the existing 1.47 +/- acre parcel into 2 lots. The applicant and property owner is Michael and Lucinda Croft. The property is located at 355 Kettle Moraine Drive N and it is zoned R-4 Single Family Residential**

Planner Censky informed the Commission that the applicant would like to split the existing parcel to move the home and related detached accessory structures, driveway...off onto one lot and to create a new vacant/buildable lot to the south. She noted that the lots well exceed the basic size requirements of the R-4 District and the side-yard of 25ft. minimum is complied with as to the existing structures on the north lot. Planner Censky stated that she has no objections to this request as presented, but did note that the signature lines on certified survey map needed to be corrected to state Village Clerk.

Commissioners commented that they are not in favor of shared driveways.

Motion Commissioner Fredericks/Commissioner Stuetgen to forward the certified survey map to the Village Board for consideration; Passed

D. Review and possible approval of an Amendment to the Building, Site and Operating Plan for Little Switzerland to add a prefabricated type warming hut and a yurt in the area of the existing "bunny hill" warming building in the northwest corner of the lot. The property owner is Schmitz Brothers LLC in c/o applicant Mike Schmitz. It is located directly south of and connected to 105 Cedar Creek Road and the zoning is P-1 Park and Recreation District.

Planner Censky stated that the applicant, Schmitz Brothers LLC, wants to add two accessory structures to the ski hill site and would be located close to the existing warming hut by the bunny hill. She noted that the structures are prefabricated type construction, one being a 30ft diameter yurt on or within a proposed new deck adjacent to the existing warming house and the other a 768 sq. ft. cottage to be installed at grade and at one end it also ties into the deck. Planner Censky informed the Commission that neither structure will exceed the 35ft. height limit of the district and the location of the buildings well exceeds the minimum 5ft. setback from the side lot line.

Mr. Mike Schmitz, representing Schmitz Brothers LLC, was present for the meeting and informed the board that he is rethinking the deck. He noted that the yurt is a glorified tent and can be relocated as it does not need to be attached to a foundation.

Planner Censky noted that she does not have any objections to this request but recommends that the following conditions be considered. 1) Issuance of all required building/construction/installation permits that are required for the deck, yurt and cottage structures before the construction or placement at the site.

Motion Commissioner Stuetgen/Commissioner Erovick to approve the amendment to the building, site and operating plan for Little Switzerland to add a prefabricated type warming hut and a yurt in the area of the existing "bunny hill" warming building in the northwest corner of the lot, subject to issuance of all required building/construction/installation permits that are required for the deck, yurt and cottage structures before the construction or placement at the site; Passed

6. Adjourn Meeting

Motion Commissioner Erovick/Commissioner Stuetgen to adjourn at 8:23pm; Passed

Approved by: _____

Russell Brandt

Drafted by: Tammy Tennes, Village Clerk