

Eau Claire County
PLANNING & DEVELOPMENT COMMITTEE MINUTES

Tuesday, January 26, 2016 • 7:00 PM
Eau Claire County Courthouse • 721 Oxford Avenue • Room 1277
Eau Claire, Wisconsin

Members Present: Gary Gibson, Jim Dunning, Stella Pagonis, Steve Chilson, Gordon Steinhauer
Members Absent: None.

Staff Present: Lance Gurney, Rod Eslinger, Matt Michels, Jared Grande

1. Call to order

Gary Gibson called the meeting to order at 7:00 p.m.

2. Public Input Session: None.

3. Public Hearing:

- a. **Proposed Ordinance: File No. 15-16/114** "Amending the 1982 Official Zoning District Boundary for the Town of Clear Creek" (Kastel) RZN-0016-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 4.66 acres of the AR zoning district and .34 acres of the A-P zoning district to the A-2 zoning district. The intent of the applicant is to remove the building restriction on the quarter quarter section through the rezone to A-2, which will then allow a family member to build a new residence on that same parcel. Mr. Michels confirmed compliance with the standards for rezoning out of the A-P zoning district. The Town of Clear Creek has approved the request as submitted. Mr. Chilson questioned what would become of the deed restriction associated with the AR zoning district. Mr. Michels answered that this particular property does not contain a deed restriction, but the rezoning would remove the density restriction associated with the A-R zoning district, thereby allowing the family to construct an additional home on the farm parcel. Rod Eslinger and Lance Gurney provided background and clarification on the zoning requirements. Colleen Kastel appeared as applicant to indicate that the intention is to remove the density restriction to allow for a family member to construct a new residence on the property.

ACTION: Motion by Stella Pagonis to approve file 15-16/114 with correction to staff recommendation as 4.66 acres changing from A-R and .34 acres changing from A-P. Motion carried, 5-0.

- b. **Proposed Ordinance: File No. 15-16/104** "Amending the 1982 Official Zoning District Boundary for the Town of Brunswick" (Zacho Trust) RZN-0014-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 5.38 acres from the A-P zoning district to the A-2 zoning district. The intent of the applicant is to divide the existing residence onto a parcel of roughly 5 acres from the remaining agricultural lands in compliance with the minimum zoning requirements of the A-2 zoning district. Mr. Michels confirmed compliance with the standards to rezone lands from the A-P zoning district. The Town of Brunswick has approved the request as submitted. Randy Belsky appeared as an agent for the request who will be the purchaser of the 5 acre parcel with the existing residence. He provided some additional background on the request.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/104. Motion carried, 5-0.

- c. A conditional use permit request for a planned unit development in the C-3 Highway Business District (Bergee - Town of Brunswick) CUP-0021-15 / Discussion – Action
Rod Eslinger presented background information and the staff report to amend an existing conditional use permit to operate a Commercial Planned Unit Development site within the C-3 zoning district. The site includes several separate businesses that have or are operating on the site. The applicant is seeking to obtain approval to add a mini warehouse business to the property as a Planned Unit Development. Mr. Eslinger indicated that the proposed use is consistent with the zoning district provisions as part of a planned unit development and that there is adequate space to accommodate the storage units. Mr. Eslinger did note that additional plantings are necessary on the existing eastern berm to meet the requirements of 18.30.200 and indicated a concern was expressed relating to lighting on the signage that will need to be followed up on. Staff recommended conditions were then reviewed. A short video of the site was presented to the Committee. The Town of Brunswick voted to recommend approval of the request. Peter Bergee appeared as applicant of the request. He has owned the property for approximately 3 years ago, and has summarized improvements made to the property in recent years. He explained his plans for the mini warehouse business, discussed the U-Haul business, outdoor lighting, screening and berms, and other relevant information. Doug Carlson appeared as a resident of the Town of Brunswick and spoke in favor of the request and the improvements he has made in the last three years. Eric Peterson appeared as a neighbor that lives off of Clarissa Drive. His concern is related to future traffic from development on the site and to indicate that the berm is ineffective so far. He has concerns about the continued development of this property and its impacts on the surrounding residential property. He also has not received any contact from the applicant as a neighboring property owner. Stella Pagonis asked about future development and changes to the site. Rod Eslinger indicated that any deviation from the site plan in terms of additional development or density would need to come before the committee in the future. Adequate screening was further discussed.

ACTION: Motion by Jim Dunning to approve the conditional use permit request with an amendment to staff condition #8 to require vegetative plantings or solid fence of at least 5 feet high on the eastern berm near Karissa Drive. Motion carried, 5-0.

- d. A conditional use permit request for in the I-1 Nonsewered Industrial District (Wilkinson/Strenke – Town of Brunswick) CUP-0001-16 / Discussion – Action
Rod Eslinger presented background information and the staff report to consider a conditional use permit to operate a planned industrial development site on the property currently zoned as I-1, non-sewered industrial. The site includes a residence and several separate buildings that have been previously used for both industrial and commercial business ventures. The applicant is seeking to obtain approval to operate a lawn maintenance, tree service business, and auto sales and service business from the location. Mr. Eslinger indicated that the proposed use is consistent with the zoning district provisions as part of a planned industrial development and that any issues or concerns relating to access from Hwy 37 will be addressed through the WisDOT. In review of the recommended conditions, #14 should be removed. A short video of the site was presented to the Committee. The Town of Brunswick

voted to recommend approval of the request. Rick Strenke appeared as the applicant to indicate desires to run an auto sales and service business in addition to his lawn maintenance and tree service business. Hours of the operation were discussed further, as lawn care and snow plowing may occur outside of the indicated hours of operation. Discussion regarding appropriate parking surfaces for the site. Doug Carlson appeared to express concerns regarding the business having been delinquent financially in the past and that the applicant has had other legal issues. He would only like to see the business run in a good manner. Committee reviewed the recommended staff conditions.

ACTION: Motion by Steve Chilson to approve the conditional use permit request with with the following amendments to staff conditions: #10 - the existing parking surface be allowed to remain and appropriately maintained, #7 - hours of operation indicated in the staff report shall relate to the auto sales and service business only (thereby excluding the lawn, tree service and snow removal businesses), and that #14 be removed in its entirety. Motion carried, 5-0.

- e. **Proposed Ordinance: File No. 15-16/109** “Amending the 1982 Official Zoning District Boundary for the Town of Union” (Volbrecht) RZN-0015-15 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 60 acres from the A-1 zoning district to the A-3 zoning district. The intent of the applicant is to divide the existing parcel into two separate 30-acre parcels to allow for a single family residence to be constructed on the east 30 acre parcel and to sell the western 30 acres to a separate party. The owner indicates that a large majority of the property will continue in use as productive agricultural lands. Mr. Michels confirmed compliance with applicable comprehensive plans and noted that this property lies outside of the mapped preservation areas of the Farmland Preservation Plan. The Town of Union approved the request as submitted. A short video of the property and surrounding land uses was presented to the Committee. James Volbrecht appeared as the applicant with the intention of selling thirty acres and constructing a single family residence while continuing to farm a majority of the property.

ACTION: Motion by Gordon Steinhauer to approve file 15-16/109 as presented. Motion carried, 5-0.

- f. **Proposed Ordinance: File No. 15-16/119** “Amending the 1982 Official Zoning District Boundary for the Town of Washington” (Southern Oaks Land Company) RZN-0002-16 / Discussion – Action
Matt Michels presented the staff report and background of the request to rezone approximately 75.72 acres from the A-2 zoning district to the C-3 and R-H zoning district. The intent of the applicant is to develop a single-family residential subdivision and with commercial development along the western side of the property in proximity to Hwy 93. The request is consistent with the applicable comprehensive plans of Eau Claire County and the Town of Washington, which calls for the area to be developed as Rural Residential Cluster. Mr. Michels reviewed the proposed transportation connectivity, possible development layout, and provision for commercial lands adjacent to Hwy 93 and open spaces. The lands are within the ETJ of the City of Eau Claire and also subject to the policies of the

Intergovernmental Agreement between the City of Eau Claire and the Town of Washington. The Town of Washington approved the request as submitted to rezone the property to C-3 and R-H. A short video of the site was then presented. Cody Filipzcak appeared as applicant and owner of C&M Home Builders. He indicated that there is a significant need for additional residential lots on the south side of Eau Claire. He discussed some of the potential amenities and development of the property as an upscale residential development. William Kramer appeared in opposition as a property owner to the northeast of the proposed development and expressed concerns relating to the density and the number of new wells and septic systems and impacts to the local aquifer. He would also like to see a significant buffer on the north end of the property. Burt Spangler appeared in opposition as an adjacent owner to the north of the proposed development and would echo the same concerns expressed by Mr. Kramer. Frank Edwards appeared in opposition as a property owner to the north of the development and reiterated the same concerns. Paul Diemert appeared as a representative of Thistledown to express concerns and interest in the development plan itself and Talmadge Road.

ACTION: Motion by Stella Pagonis to approve file 15-16/119 as recommended to rezone 71.29 acres to RH and 5.04 acres to C-3 as requested by the applicant. Motion carried, 5-0.

4. Administrative Referral – Review (Friedeck Road Mini Storage Units) / Discussion – Action
Jared Grande presented the background of the request and ordinance language which provides referral to the Committee in complex situations within the Highway Corridor Site Plan Review Area, which includes within 1,000 feet of Hwy 93 per the Intergovernmental Agreement between the City of Eau Claire and the Town of Washington. The subject property and adjacent land uses were reviewed along with a simple site plan. Several videos of the subject property were then presented. Mr. Grande then reviewed several pieces of communication received from the City of Eau Claire, Town of Washington, and Township Fire Department highlighting concerns of the site development, including access, slope of interior roads, screening, and circular flow of the site, and provisions for fire protection. With regard to adequate provisions for fire protection, the remaining concern of the site relates to proper access and flow throughout the interior of the site. In addition, the Town of Washington does not feel that adequate screening has been provided, although planted screening may meet the minimum code standards. The issues with the site plan relate to the site plan criteria under Section 18.31.030, specifically relating to interior circulation, the provision for screening and adequate provisions for emergency services. Additional discussion regarding emergency access and effective screening based on the communication received from Town of Washington dated January 26, 2016.

ACTION: Motion by Gary Gibson to approve the request with the following conditions: 1) Applicant shall install signage to ensure adequate emergency access on the south and east sides of the site to restrict parking and other obstructions. 2) The screening plan submitted as part of the site plan and located on Page 113 of the Committee packet is deemed to be compliant with code requirements and therefore adequate. . Motion carried, 5-0.

5. Rain to Rivers Intergovernmental Agreement for Stormwater Education / Discussion – Action

ACTION: Motion by Stella Pagonis to approve the agreement as presented. Motion carried, 5-0.

6. Review of December Bills / Discussion – No discussion or issues.
 - a. Planning
 - b. Land Conservation

7. Review/Approval of December 8, 2015 Meeting Minutes / Discussion – Action

ACTION: Motion by Jim Dunning to approve the minutes as submitted. Motion carried, 5-0.

8. Proposed Future Agenda Items / Discussion
February 23rd meeting will be held at 6:00 p.m.
9. Adjourn: Gary Gibson adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Lance J. Gurney
Clerk, Committee on Planning & Development