

**Village of Holmen  
Special Planning Commission Minutes  
May 12, 2016**

Village President Proctor called the Special Planning Commission meeting to order at 6:00 PM on Thursday, May 12, 2016. Present were commission members Proctor, Stanek, Sacia, Anderson, Szak and Johnston, along with advisory members Administrator Heinig and DPW Olson and Attorney Weber. Member Evenson was excused. Also in attendance were Rick Durst, Karen and Chad Mc Cathie, Jeanette and Cy Harris, Dale Brott, Alexis Meyer, Pat McKnight, Angela Hornberg and Patrick Barlow.

**Public Hearings**

- a. Request from Dale Brott and Chad Mc Cathie for a zoning change to (PUD) Planned Unit Development Zoning District, corresponding with a submitted General Development Plan, replacing the existing zoning districts of (R-1) Single-family Residential, (A) Agricultural and (R-5) Multi-family Residential, along Ryan Street, North of Amy Drive.

Administrator Heinig provided a brief background on the rezoning request, explaining that the existing zonings on the parcels involved would be changed to a PUD zoning, in accordance with a submitted General Development Plan.

**Motion by Anderson, second by Johnston** to open the Public Hearing – carried unanimously.

**Hearing a)**

Rick Durst – 508 Ryan Street – Has objections to the rezoning request: The proposed building immediately north of his property was originally proposed as a 27 ½ foot setback and is now proposed as a 25 foot setback. These buildings have an elevated deck, and the proposed privacy fence along the property line will not adequately screen those decks. He feels the landscaping plan does not include enough detail. The SPAR ordinance requires garages on multi-family projects to be configured to avoid street frontage, and all parking lots and other large paved areas are to include landscaping islands. The original plan presented was for 2 bedroom units with one car garages, and this proposal has 3 bedroom units with 2 car garages. The narrower street, along with no sidewalk should be restricted to limit parking on only one side. Signs should be placed to inform the public this is a dead end street, or no thru street. He would also like to know where the street light is to be located.

No other members present spoke during the Public Hearing, and no additional comments were submitted for consideration.

**Motion by Johnston, second by Stanek** to close the Public Hearing – carried unanimously.

**Possible Action and Recommendation on request from Dale Brott and Chad Mc Cathie for a zoning change to (PUD) Planned Unit Development Zoning District, corresponding with a submitted General Development Plan, replacing the existing zoning districts of (R-**

**1) Single-family Residential, (A) Agricultural and (R-5) Multi-family Residential, along Ryan Street, North of Amy Drive, and corresponding with the Developer's Agreement for the Extension of Ryan Street and the PUD Implementation Plan, which includes final building designs and general colors schemes.**

Attorney Weber explained the reason the Planning Commission was holding this special meeting and another public hearing on this issue again tonight, as the item has been reviewed already, was that Mr. Durst had raised questions at the last Board meeting regarding tonight's item for consideration, highlighting concerns with the PUD documents that had been submitted, and concerns with the overall review of the PUD process. Weber explained that he believes the PUD process had been administrated appropriately, but in an effort to try to address Mr. Durst's concerns, he had directed the Village Board to refer tonight's item back to the Planning Commission for another public hearing to fully ensure that all processes had been followed and that any concerned residents would have yet another opportunity to voice their opinions on the PUD project. Weber then explained that Mr. Durst had presented yet another letter, just yesterday, (which was also provided to the Planning Commission tonight) that indicates non-compliance with the Village's Site Plan and Architectural Review (SPAR) process, regarding the PUD project. As an example, Mr. Durst contends that the SPAR was not followed because he believes the applicant did not submit 12 copies of their application to the Administrator 10 days before the Planning Commission meeting. Weber explained that Administrator Heinig confirmed that the developer did in fact provide 12 copies during the submittal processes as required. Mr. Durst was also contending that the SPAR process had not been followed in previous meetings, as the previous Planning Commission minutes do not completely reflect the full findings of the SPAR. Mr. Durst had questioned the lack of discussion and inclusion of a landscaping plan, lighting plan and outlined his interpretation that multi-family garages should be configured to avoid facing a public street.

Weber and Heinig believe that all aspects of the SPAR were in fact followed during previous discussion, however agree the previous minutes do not reflect the full discussion of those findings, thus told the Planning Commission we will be sure to cover all of those items again tonight for inclusion in tonight's minutes. Weber also confirmed that the findings of the SPAR were to ensure that the standards and guidelines of the community's requirements had been reasonably met.

Weber and Heinig made it clear that some aspects of the PUD ordinance could not in fact be implemented as written. For example, a utility plan from Xcel Energy cannot be developed at this stage of the project, as the utility company specifically has said they will not provide a utility plan until the project zoning process is complete - they typically only will do so during the building permit phase of a project. Thus, tonight's PUD does not have an Xcel Energy Utility Plan.

Administrator Heinig explained the full details of the PUD General Development Plan once again, and specifically outlined the aspects of the PUD that impact the Village's SPAR ordinance which the Planning Commission had previously discussed and fully considered in their previous findings. This PUD has been modified slightly over the past

year from previous plans that were submitted for this project area. On the West side of Ryan Street, Todd Wright originally proposed two, 6-plex, side-by-side townhomes (12 units) off a private drive. The concept of that proposal was subject to the development of a new site plan that included a fully improved public street. The revised plan including the newly proposed Ryan Street Extension did not come forward until Mr. Mc Cathie purchased the property from Todd Wright and partnered with Mr. Brott, who purchased the property on the East side of Ryan Street, to present a development plan for the entire area.

The addition of the public street (Ryan Street Extension) required modifications to the building locations on the West side of Ryan Street, reducing the size of the building area and thus resulting in a reduction from the original 12 units to the 10 units indicated on the current plan. Todd Wright had suggested that his original building prices (condos) were expected to sell somewhere in the area of approximately \$169,000; where as Heinig now confirmed that the Mc Cathie units were of a much higher quality design and marketability with two car garages rather than one, and proposed improved construction quality that realistically when compared to similar units in Holmen, could market in today's prices for approximately \$200,000. Thus, Heinig suggested the modifications clearly are adding more value to the area. Heinig confirmed that the proposed setbacks on the West side of Ryan Street adjacent Mr. Durst's property is in fact proposed at 25' which significantly exceeds the 10' setback that would be permissible in the R-1 district as the property is currently zoned. And the rear yard setback is no closer than 25' which is also the R-1 minimum setback, thus maintaining the zoning protections for the properties on Amanda Court.

Heinig explained that Mc Cathie had also agreed to develop his property so as to continue to maintain the stormwater runoff from the properties on Amanda Court, whose yards drop back toward Mc Cathie's site and thus much of their stormwater runs onto his property. In agreeing to maintain the existing stormwater, while also developing his townhomes, he must have lower areas in the rear yard area along his western lot line. This requires that his single story structures will have exposed lower levels on the rear of his buildings. This creates the requirement that his rear walkout must now be onto a raised rear yard deck (as it is impossible for the walkout to approach a ground level patio due to the lower yard elevations that are designed to handle stormwater).

Chad Mc Cathie desires to build his buildings on the West side of Ryan Street with a light grey color scheme, with red accents. These buildings also include decorative stone pillars along the garages to soften the building facades and provide a very pleasing architecture to break-up the garages. Mc Cathie's units will also have decorative dormers that will also provide more internal light to the units, as well as provide more of an architectural enhancement to the front of the buildings facing the street. Dale Brott is proposing a similar building on the East side of Ryan Street for Phase One of the PUD, just as Mr. Mc Cathie, but Brott instead is proposing the use of a greenish color scheme with red accents. Brott's townhomes will also have decorative stone pillars along the garages to soften the building facades, however will not have decorative dormers.

The East side of Ryan Street originally had 14 units, which included a duplex on the north end. In order to improve green space and the look of the area, in consideration from previous public hearing comments, Mr. Brott agreed to remove the duplex from the site plan and shift the remaining twelve unit (three 4-plexes) townhomes apart from each other, which now makes the East side of Ryan Street compliant with the R-5 zoning (thus a PUD is not even technically necessary).

Heinig explained that the SPAR ordinance making reference to prohibiting multi-family garages along a public street, was intended to prohibit facing a row of detached garages along a street, not necessarily to prohibit townhouse development - structures that were essentially zero-lot line single-family homes, that the Village has built multiple times in our community without any concern with the facing of garages. This issue was discussed by the Planning Commission during previous meetings, and the number of driveways that would face Ryan Street was clearly identified as an issue for on-street parking (as parking would likely need to be prohibited on sections of Ryan Street). Thus, the development was proposed to have no sidewalks, because it is a cul-de-sac area that has no need for a sidewalk, and the removal of the sidewalk would allow for additional on-driveway parking so as to avoid potential parking impacts on the street due to the number of driveways. Heinig reiterated that for townhome development, it is impossible to configure the garages to not face the street, but again, that is why the Planning Commission had previously discussed that these structures have decorative stone and other accents around the garages and front building façade, to soften the appearance, similar to Cherry Lane and other previously approved projects. Thus, Heinig believes the Planning Commission fairly considered the site plan, building design, building locations and area impacts appropriately during previous discussions and found that those SPAR aspects of the project have been reasonably met.

Phase Two of the proposed PUD is the development of two new multi-family buildings to the far northeast of Brott's property. The Phase Two portion of the project is also R-5 compliant as it is currently proposed, due to the fact that Brott also owns all of the land north of where Phase Two is proposed and he could use that area to address his greenspace requirements. Brott intends to develop that greenspace area in the future, however, and thus wishes to continue with the zoning of Phase Two under this PUD General Development Plan. The exterior of Phase Two's buildings has approximately 40% stone, with 33% located around the lower level of the structures, and another approximate 7% located along key decorative accent points up the building's side. The amount of decorative masonry planned on these buildings far exceeds that of any other similar structure that has ever been built in Holmen, and this area is not even in an architecturally controlled overlay zone. Phase Two is anticipated to commence following the completion of Phase One. Some calculations related to green space, paved areas and buildings were not correctly tabulated on the original site plan submission, but have since been corrected on tonight's submitted document. Heinig believes the Planning Commission fairly considered the site plan, building design, building locations and area impacts of Phase Two of the PUD appropriately during previous discussions and found that those SPAR aspects of the project have been reasonably met.

Heinig explained that the landscaping plan has always been completely shown on the site plan. Locations of shrubs and trees are reasonably shown on the site plan, and listed in the landscaping table on the document. Heinig agreed that the landscaping table on the previously submitted copies of the site plan, was unreadable, and thus required the developer to correct that deficiency for tonight's submission. The Planning Commission previously discussed the visual look of the landscaping for both Phase One and Phase Two of the PUD, as Alexis Meyer (project manager) had submitted visual representations of what the landscaping would look like, and also told the Planning Commission directly that the landscaping would look identical to her Angel Court and Cherry Lane projects. Thus, Heinig believes the Planning Commission fairly considered the landscaping of these projects during previous discussion, and that aspect of the project has been reasonably met.

Heinig explained that a visual detail of a typical lighting design has always been on the site plan for the project. Alexis Meyer had also told the Planning Commission during previous discussion that the lighting of the project (specifically Phase Two) would look very similar, if not identical to her Angel Court project. Regardless, included in tonight's packet for the PUD are pictures of the light structures that exist on Angel Court. Thus, Heinig believes the Planning Commission fairly considered the lighting details of these projects during previous discussion, and that aspect of the project has been reasonably met, and has been clarified even more so with the new submissions.

Heinig explained that a very clear visual detail of the signage for the PUD has always been on the site plan for the project, and appropriately designated and proposed with full landscaping. Thus, Heinig believes the Planning Commission fairly considered the signage of these projects during previous discussion, and that aspect of the project has been reasonably met.

Heinig pointed out that the Developer's Agreement we are considering tonight, inadvertently still has a provision within it that requires sidewalks and outlines the sidewalk design standards for the Village, when all along, we've agreed that sidewalks would not be required in this PUD. To rectify this, Heinig suggested that Exhibit "A" - Schedule of Improvements – specifically the section that addresses sidewalks, should be stricken from the Developer's Agreement for the PUD and Ryan Street Extension.

Heinig also reiterated that all applicants are required to submit 12 copies, in color, at least 10 days prior to the Planning Commission for distribution for SPAR. Traditionally, we require 11" x 17" copies, as is outlined in our SPAR ordinance. Sometimes, however, that size of a document is simply unnecessary or is not possible for the applicant to provide, thus, if the applicant requests the use of legal size sheets, or has only simple pictures that only require 8" x 11" sheets, we will allow such, if we feel it meets the needs for the Planning Commission's review criteria—obviously, we are not going to send someone, for example, like Festival Foods away, simply because they opted to use a legal size documents rather than an 11" x 17" - that isn't who we are, and we need to be realistic and fair to all our applicants.

Weber addressed the Planning Commission following Heinig's review, and stressed that the Planning Commission can only move this project forward with approval if they feel the community's standards, criteria and overall expectations have been reasonably met. The items the Planning Commission has considered and must confirm tonight are related to the buildings' design, consistency with the Comprehensive Plan and the surrounding area, if the design(s) contribute to a desirable community identity, that the proposed building colors shall be harmonious and relate to the overall site, the evaluation of any rooftop mechanical equipment screening, the garage door configuration, the consistency and durability of the external building materials, the overall landscaping planned for the area, the overall lighting proposed for the area, and designs and locations of the signage planned for the area.

**Motion by Stanek, second by Johnston** to strike the sidewalk section in Exhibit "A" from the Developer's Agreement – carried unanimously.

**Motion by Anderson, second by Johnston** to approve the PUD General Development Plan application, finding the purposes and guidelines of SPAR review have been reasonably met regarding the entire proposed site plan, all external building colors and materials and designs, the overall proposed site landscaping, the overall proposed site lighting, and the overall proposed site signage.

Member Johnston asked how and when a utility plan would be reasonable expected. Once a plan is finalized, the utility companies can start planning their service lines, based on needs of the site. It is premature to expect utility companies to meet this requirement until the final documents are available.

Member Szak stated that this project has been reviewed many times and he feels the buildings will be a great addition to the community; the developer has worked hard to generate a good plan for this area.

Member Johnston reiterated Member Szak's comments.

The motion carried unanimously.

**Motion by Anderson, second by Stanek** to recommend to the Village Board, approval of the (PUD) Planned Unit Development Zoning District, corresponding with the attached General Development Plan, replacing the existing zoning districts of (R-1) Single-family Residential, (A) Agricultural and (R-5) Multi-family Residential, along Ryan Street, North of Amy Drive, and corresponding with the modified Developer's Agreement for the Extension of Ryan Street and the PUD Implementation Plan.

Member Szak asked if the public hearing was properly noticed – Yes, Heinig confirmed, absolutely. Szak also asked if there were other members of the audience that lived in the vicinity of the project, and two people raised their hands to show their attendance, aside from Mr. Durst. Szak specifically referenced that over 14 adjacent property owners were mailed tonight's notice of public hearing, and that he continually only hears objections

from one person, Mr. Durst. Regarding the 6' high privacy fence, Szak asked if this was a Village requirement? Heinig confirmed that he did not believe the fence was ever expected to act as a "privacy fence," but that simply what the adjacent property owners had originally asked for during the first public hearing, was specifically for a 6' high vinyl fence along their property line, which was then required by the Village and included in every plan submittal since. Heinig confirmed that if this were not a PUD, the addition of the fence could not be required by the Village.

President Proctor expressed confidence in Staff for reviewing the items and having things in place before bringing the submittal to the Commission. She also thanked the developers for being patient and working with the Village through this process, confirming that they had proposed a fine project for the community.

Member Anderson also thanked the Developers for their patience and stated they had proposed a quality project.

Member Johnston felt all the requirements have been met.

The motion carried unanimously.

**Motion by Johnston, seconded by Stanek** to adjourn at 6:45 PM - carried unanimously.

Dean K. Olson  
Director of Public Works