

PLAN COMMISSION MEETING

Monday, June 1, 2015 at 4:30 P.M.

Council Chambers in the Municipal Building

AGENDA:

- 1) 1222 Perry Way – Preliminary Rezoning Review
- 2) Plan Commission Minutes – May 11, 2015

1222 Perry Way – Rezoning

Background

1222 Perry Way is owned by MCC-Wisconsin, LLC. The facilities on this site are currently vacant. The property is currently zoned as GI, General Industrial. MCC-Wisconsin is looking to rezone the parcel HI, Heavy Industrial to allow for a wider range of uses. The adjacent parcel immediately to the West is zoned HI. 1222 Perry Way is part of the American Way and Commerce Drive Industrial Park. This industrial park predates the sparsely developed subdivision to the South.

Issues

The Zoning Administrator has identified the following issues:

- 1.) The parcel is currently zoned GI under the City of Watertown zoning code.
- 2.) MCC-Wisconsin, LLC is looking to rezone the parcel to HI

The Process:

Under Chapter 18.903(5):

Initial Review by the Plan Commission and Scheduling of Common Council Public Hearing

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.

- (a) The Plan Commission shall schedule a reasonable time and place for a public meeting to hear the application within 45 days of the acceptance and determination of the complete application as determined by the Zoning Administrator. The Applicant may appear in person, by agent, and/or by attorney.*
- (b) Within 60 days after the public meeting (or within an extension of said period requested in writing by the Applicant and granted by the Plan Commission), the Plan Commission shall schedule a public hearing before the Common Council.*

The purpose of this meeting is to set a date for a public hearing as directed in 18.903(5). The Zoning Administrator has attached the public hearing notice that is to be sent out to the Watertown Daily Times for Plan Commission review. It should be noted that discussion of the proposed zoning change and site plan review comments along with public comments will be reviewed and go before the Plan Commission following the Common Council Public Hearing.

Options:

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning Administrator:

1. Deny recommendation of the Public Hearing and the dates contained within the Public Hearing Notice document.
2. Approval and recommendation to move forward with the Public Hearing and the dates contained within the Public Hearing Notice document.
3. Approval and recommendation to move forward with the Public Hearing but with changes (date changes, wording, etc.) to the Public Hearing Notice document.

NOTICE OF PUBLIC HEARING

Notice is hereby given by the Common Council of the City of Watertown, Wisconsin, that a public hearing will be held on the 16th day of June, 2015 in the Council Chambers of the Municipal Building, 106 Jones Street, Watertown, Wisconsin at 7:00 P.M., or shortly thereafter, to consider the request of MCC-Wisconsin, LLC to rezone the following described property from GI, General Industrial, to HI, Heavy Industrial. The property is further described as follows:

Lot 2 of Certified Survey Map No. 2009 recorded in Volume 6 of Certified Surveys on Page 286, as Document No. 829547 being a part of the Southeast ¼ of the Northeast ¼ of Section 7, and a part of Outlot 39 located in the Southwest ¼ of the Northwest ¼ of Section 8, all in Township 8 North, Range 15 East, City of Watertown, Jefferson County, Wisconsin. (1222 Perry Way)

All persons wishing to be heard are invited to be present. Written comments may be submitted to City Clerk Cindy Rupprecht, 106 Jones Street, Watertown, WI 53094.

CITY OF WATERTOWN
Jacob A. Maas
Zoning Administrator

JM/nmz

PUBLISH: June 2, 2015
and
June 9, 2015

(BLOCK AD)

Plan Commission Minutes

Monday, May 11th, 2015

The Plan Commission met on the above date at 4:30pm in the Council Chambers of the Municipal Building with the following members present: John David, Ken Berg, Augie Tietz, Rick Tortomasi, Sherry Cira, Tony Arnett, City Engineer Jaynellen Holloway along with Zoning Administrator Jacob Maas, City Planner Mike Slavney, Alderperson Emily McFarland, Victor Miller, Lloyd Holterman, Susan Schultz, Andrea Turke, Robert & Diane Zwieg, Jeff Tate, Steve & Charlie Boysa, Wayne Schweitzer & David Weber.

1: 1340 N 4th Street—Basco Development LLC—Group Development: Mayor David opened the Public Hearing for Basco Development LLC's application for a group development to construct six 12 unit apartment buildings at 1340 N 4th Street in Watertown. No persons commented so the PH closed and discussion occurred among Commissioners. This project was recently approved for rezoning to allow their proposed density of rental units. However, Zoning Administrator Jacob Maas pointed out there was still a need for a Conditional Use Permit since this project qualified as a group development. He also commented on the concern of some residents that the Boysa's may opt to sell their project now that they got their rezoning approved, thereby leaving area residents with a lot of unknowns, should this happen. City Planner responded by suggesting that any proposed change to the CUP, prior to the completion of the project, shall trigger the need for an amended CUP, regardless of ownership. A different owner may not use the "successor CUP provision" if a proposed change to the project is made. Augie Tietz moved to grant the CUP for Group Development and 12 unit apartments located at 1340 N 4th Street with Basco Development LLC on the condition that the above wording from our city planner be included with this motion, seconded by Tony Arnett and approved unanimously.

2: CTH R/4th Street Jurisdictional Transfer Resolution & Annexation Ordinance: Jacob Maas told members that city officials have worked out a jurisdictional transfer agreement with Dodge County on .73 miles of Hwy R from its intersection with State Hwy 16 Bypass to its intersection with Kimberly Court in the City of Watertown. This requires a resolution for the above agreement and an ordinance for the annexation of this small parcel of land to the City of Watertown. This legislation will affect both sides of Hwy R and allow for safety measures to be incorporated as needed. Tony Arnett moved to recommend the city council approve the proposed resolution & ordinance without conditions, seconded by Sherry Cira and approved unanimously.

3: 412 Theresa Street—PH—David Weber—Vehicle Repair & Maintenance: During the Public Hearing, David Weber was the only person who commented with his statements supportive of his desire to operate a vehicle repair & maintenance business at 412 Theresa St. Since this is a General Industrial zoning parcel, a conditional use permit is required, even though there has been previous history of similar business activity at this site without a CUP being required. It was noted that Wayne Schweitzer has a Personal Storage Facility at 412 Theresa Street and that his multiple business applications at this parcel qualify as a group development, both of which require a conditional use permit and currently do not have one in place. Augie Tietz moved to grant a CUP to David Weber for his vehicle repair & maintenance business at 412 Theresa St while acknowledging Wayne Schweitzer's Personal Storage Facility and his Group Development at this parcel as preexisting and therefore not subject to our current CUP requirements, seconded by Sherry Cira and approved unanimously.

4: 701 N Church Street—Zabel—Initial Review of Resolution: Allen Zabel, who resides at 701 N Church St, is asking that the City of Watertown discontinue the public right of way on North Church St, near and about its intersection with Margaret St. The effect will be to have the public right of way follow the roads for Church & Margaret Street. The City will retain an easement for all existing utilities within the entire width of the vacated street area. This proposed action would reflect the realignment of Church & Margaret Streets, based on the road improvements that were made several years ago. This action would also transfer a title of ownership for this parcel of land that he has been taking care of and maintaining without compensation. Tony Arnett moved to recommend to the Council that the proposed resolution for a discontinuance of right of way on N Church St be adopted, seconded by Rick Tortomasi and approved unanimously.

5: N8367 Cty Road E—Dale Hardtke—Preliminary CSM: Jacob summarized the request by Dale & Leon Hardtke to create a 2.6 acre parcel, with an address of N8367 Cty E, out of a larger 46.71 acre parent parcel. He noted that Cyt E is recommended to go to 120 feet of right of way according to our 2009 Comprehensive Plan, however it is currently only 90 feet at this portion of the highway. Augie Tietz moved to allow the 2.6 acre parcel as proposed in this CSM as long as the 120' right of way requirement is enacted as a

condition of approval, seconded by Tony Arnett and then approved unanimously.

6: N8615 & N8579 Cty Road X—Lloyd & Daphne Holterman—Preliminary CSM: Jacob summarized the request by Lloyd & Daphne Holterman for a newly created 2.5 acre and 2.2 acre parcel out of a 54 acre parent parcel. Lloyd Holterman told Commissioners that his house on lot 2 and one of the house wells is currently in the public right of way and to enforce the City's Comprehensive Plan recommendation of 120 right of way would not be realistic. Reflecting the reality of where the houses/wells for these two proposed parcels are located, Augie Tietz moved to approve the two new parcels for N8615 & N8579 Cty Road X with a right of way from the centerline that followed the setbacks proposed in the CSMs provided by the Holtermans, seconded by Tony Arnett and approved unanimously. It was determined that suggested language allowing us to enforce a greater right of way for this portion of Cty Hwy X, should either one of these houses be torn down for some reason in the future, was not enforceable and therefore should not be made part of our conditions of approval.

7/8) W4742 Cty T Review Council PH Comments for Official Map Change and Zoning Change: Tony Arnett asked that we act on both the Official Map Change and the Zoning Map Change for W4742 Cty Hwy T in the Town of Watertown with one motion and discuss them at the same time. Jacob stated that this 2.93 acre parcel is planned for going into our West Street Industrial Park if annexed into the city and approved as to its zoning. Tony Arnett moved to have the Official Map Change and Zoning Map Change Ordinances forwarded to our Council for adoption, seconded by Rick Tortomasi and approved unanimously .

9) Chapter 21—Review Council PH Comments—Vacant & Foreclosed Residential Properties: Mayor David noted that no public comments were made at the PH in front of our May 5th, 2015 council meeting. He also commented on the importance that residents are placing on our City for holding property owners to a higher standard in terms of basic maintenance & outside appearance of their properties. Jacob summarized a lot of the new language in Chapter 21, Article 1 having to do with vacant & foreclosed properties where neglect is evident & adversely affecting surrounding properties. The new definitions list the steps for identifying vacant & foreclosed properties, with registration guidelines and inspection requirements. He stated that registration fees are \$50 for each calendar year and that registrations must certify that the property was inspected and identified whether the property is vacant at the time of filing the registration. Rick Tortomasi expressed his concern over the time lag for properties going through foreclosure where these property owners will not have incentives to maintain their properties responsibly. Jacob noted that fines will be enforced for obvious neglect and that registration requirements will be monitored closely. Sherry Cirra moved to forward the proposed Ordinance to the city council for adoption, seconded by Tony Arnett and approved unanimously.

10: Site Plan Review Committee Minutes—April 27th, 2015: A motion was made by Augie Tietz to approve minutes of April 27th, 2015 Site Plan Review Committee meeting as written, seconded by Rick Tortomasi and approved unanimously.

11: Plan Commission Meeting---April 27th, 2015: A motion was made by Rick Tortomasi to approve minutes of April 27th, 2015 Plan Commission meeting as written, seconded by Augie Tietz and approved unanimously.

There being no further business to come before the Commission, a motion to adjourn at 5:10pm was made by Sherry Cirra and seconded by Tony Arnett. So ordered.

Respectfully Submitted,
Ken Berg Alderperson