

BELLEVILLE PLAN COMMISSION
PUBLIC HEARING MINUTES

February 8, 2012

7:00 p.m. - Belleville Village Hall, 24 West Main Street

Chairman Terry Kringle called the Public Hearing to order. Members present were: Donna Moore, Larry Enlow, Howard Ward, Mike Potts and Ben O'Brien and Terry Kringle. Tyler Kattre was absent.

Professional staff present was Bill Preboski.

Visitors: Jeff Christen, Mark Christen, Randy Lyle, Brad Gjermo, Bonnie Luder, Ed Short, Patricia Owen, Mary Van Meer, Betty Goke, Erik Henningsgard, Tyler Smith, Rollie Skrede, Bob & Willie Mussehl, Mark Deorio, Heidi Fahey, Rick Francois, David and Andrea Ziegler, Michael Parkin, and Dave Eustice.

HEARING ON CONDITIONAL USE PERMIT HEARING #1

Jeff and Mark Christen, Christen & Christen LLP of 140 Greenway Cross Court, Belleville, WI are requesting a Conditional Use Permit to build and operate a vehicle repair business at 55 Bowlavard Avenue. This is parcel 106/0508-273-0661-1 which is located at the northwest corner of Highway 69 and Bowlavard Avenue. This property is zoned B-G (Business General), and a Conditional Use Permit is required to operate a Vehicle Repair Business. There will be two meeting for the public to submit their concerns. A site plan is tentatively scheduled for next month.

Letters were received from William and Mary Van Meer, Ann Markwardt, Paul and Mary Hodel, Patricia Owen, Ruth Severson and Anne O'Brien had written comments objecting to the CUP. Mary had received a phone call from Dr. Brad Freitag who is not opposed to the business but has a concern regarding the aesthetics. Comments and objections were noise, disabled vehicles, and appearance, not the proper type of business for the area, valuation of condominiums property, traffic and the number of driveways in one small area. It was stated the CUP stays with the property. Terry explained if they meet all the standards of 10-1-66, we can not refuse to issue a CUP.

Sec. 10-1-66 Standards – Conditional Uses

1st Standard – The establishment, maintenance or operation of the CUP would not be detrimental to or endanger the public health, safety, morals, comforts, or general welfare. No comments from the audience.

2nd Standard – The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner, substantially impaired or diminished by the establishment, maintenance or operation of the CUP and the proposed use is compatible with the use of adjacent land. #2) had comments of noise, appearance of structure, large doors, sitting on patio and looking at repair shop. Mr. Christen responded that they will have only 1 door on street side and are not a body shop. The distance is great enough that noise should not be a problem. At the present business location they have neighbors closer than what would be at the new location and there hasn't been a problem with noise.

3rd Standard – The establishment of the CUP will not impede the normal development and the improvement of the surrounding property uses in that district. #3) asked why not the other corner and the response was it

was too small, it is shaped different. Response-that is the last lot on that side. There aren't any other lots either residential or business available on this side of the Village.

4th Standard - That adequate utilities, access roads, drainage and other necessary site improvements then or are being provided. #4) is contingent upon the Plan Commission approval of the site plan. There will be 3 entrances/exits to the property. One from Bowlavard, one from the south driveway into the complex and one from the grocery store parking lot. It was a concern of the additional storm water that would be in the streets and properties. Response was the location of the existing storm sewer was built to handle storm water from this location. There is concern over additional traffic and aesthetics. Response was only 30-40 cars per day, which is a high estimate. The original business that was planned for this lot would have had a lot more traffic. It was suggested a retail type business would suit the location and be a much better fit for the area. Stormwater and site requirements will be addressed at the next meeting

The following standards were addressed earlier in the meeting:

5th Standard – That the adequate measures have been or will be taken to proved ingress and egress design to minimize traffic to the public streets. Some comments from the 4th standard pertain to this standard.

6th Standard – That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located. 7th Standard – That the proposed use does not violate flood plain regulations governing the site. 8th Standard – That adequate measures have been or will be taken to prevent and control water pollution, including sedimentation, erosion and runoff. Proposed size of the building is 80 x 135 ft building sitting back on the north side of the lot, with two rows of parking between the building and Bowlavard. The proposed building has doors on four sides. Summary of concerns are what the building will look like and noise. Village Noise Ordinance does have standards that will be used for this CUP. Mr. Christen invited everyone to come to their business and he will open the door and run an air gun to give an example to the noise level. Another concern is lighting which will also be addressed by Planning Commission guidelines.

Motion made by Howard Ward, seconded by Larry Enlow to close Public Hearing #1. 6 Ayes, Motion carried.

BELLEVILLE PLAN COMMISSION REGULAR MEETING WEDNESDAY, FEBRUARY 8, 2012

Chairman Terry Kringle called the regular meeting. Members present were: Donna Moore, Larry Enlow, Howard Ward, Mike Potts and Ben O'Brien and Terry Kringle. Tyler Kattre was absent.

Professional staff present was Bill Preboski

Visitors: Jeff Christen, Mark Christen, Randy Lyle, Brad Gjermo, Bonnie Luder, Ed Short, Patricia Owen, Mary Van Meer, Betty Goke, Erik Henningsgard, Tyler Smith, Rollie Skrede, Bob & Willie Mussehl, Mark Deorio, Heidi Fahey, Rick Francois, David and Andrea Ziegler, Michael Parkin, and Dave Eustice.

Motion made by Larry Enlow, seconded by Donna Moore to dispense with the reading of the minutes and accept as presented. Motion carried. Ayes All, Nays None, Absent One

Recognition was given to Mary Austin for her work with the Planning Commission and the Village of Belleville.

Duluth Trading Co has purchased the Ace Hardware store building along with the lot immediately to the north. They plan to use this building as their call center and possibly an outlet store. **Motion made by Howard Ward, seconded by Ben O'Brien to combine Lot 1 & 2 with Duluth Trading Co. CSM at 1107 River Street. Motion carried. Ayes All, Nays None, Absent One**

Duluth Trading Co Site Plan at 1108 River Street- Duluth Trading Co has purchased the Ace Hardware store building along with the lot immediately to the north. They plan to use this building as their call center and possibly an outlet store. To accommodate the staff it is necessary to have more parking. MSA sent a letter to Terry with their review of the certified survey map #11882 and site plan documents for the proposed Duluth Trading Co redevelopment with a response letter from Duluth Trading Co. Discussion held. There were concerns about parking islands and using imperious surface. Bill Preboski was happy with the landscape plan. Lighting, parking and landscape meet requirements. **Motion made by Howard Ward, seconded by Donna Moore to approve site plan for Duluth Trading Company as presented, contingent upon meeting the conditions in February 1, 2012 MSA letter except for the items pertaining to the parking islands. Motion carried. Ayes All, Nays None, Absent One**

CUP for Christen Brothers at 55 Bowlavard Avenue-Site plan will be put on the March Planning Commission meeting agenda. Howard Ward rescued himself from voting because he has been talking with the parties of this issue. **Motion made by Ben O'Brien, seconded by Mike Potts to approved the proposed CUP contingent on: A site plan being approved by the Planning Commission, Christen and Christen obtaining ownership of the property at 55 Bowlavard Avenue, Christen and Christen obtaining an agreement with the owners of the adjoining property parking lot. Motion carried. Ayes All, Nays None, Absent One**

Landmark CSM at 321 5th Avenue- Howard Ward recused himself from voting. The Planning Commission approved a new CSM combining the two lots the business presently sits on to a single lot contingent on an amendment to their present CUP be approved allowing "feed manufacturing and storage". Feed manufacturing and storage is presently happening on the one lot but is not specified in the present CUP. **Motion made by Ben O'Brien, seconded by Larry Enlow to approved the CSM combining parcel 0508-341-8694-8 and 0508-341-8692-0 located at 321 5th Avenue contingent of the approval of an amendment to the CUP for the combined parcels allowing "feed manufacturing and storage". Motion carried. Ayes All, Nays None, Absent One** There will be a public hearing for the CUP.

Preliminary discussion CUP from Landmark at 321 Fifth Avenue- An amendment to allow "feed manufacturing and storage." An amendment to allow the addition of a second dryer and two storage bins. The following items need to be provided and may be part of the conditions in the amendment: Specifications for the dryer, specifications on location and size of proposed storage bins, site plan approval, landscape plan approval, lighting plan approval, dependent on Christen Brothers withdrawing 7/15/11 complaint. Two amendments will be discussed at the March 14th meeting.

Discussion held on proposed bed & breakfast, vacation home rental and similar residential rental ordinance for property located at 140 River Street. Our present ordinance allows an 8 sq' ft. sign and Bill Preboski said we could just add NAICS code 721191 Bed-and-Breakfast Inns up to 4 bedrooms and then we would not have to add one to our ordinances. Line A (1) Add "owner-occupied residence, Line A (1) take out "for rent to no more than a total of 10 tourists or other transients for more than 10 nights in a 12 month period, the owners residence is occupied by the owner at the time of rental, Line B (4) Add "14 consecutive days during a thirty day period"

Line A (2) Terry will look into clarifying this item. Line B (3) Change Village Representative to Building Inspector Line B (5) Use license instead of permit and time period for license similar to alcohol licenses and have the board decide a annual timeline. Line C (4) Change to 45 consecutive days, Line C (6) Change sixteen to 8 square feet per side and Change Line 6 (6) take out “and nature” and “not” and change to lodging shall be subject to the requirements of the Zoning Code in respect to Section 10-1-105 b. These are the recommendations that will be submitted to the Village Board.

Annexation of parcel of land to be used for public recreation – Waiting to hear from the Town of Montrose

Conservation easement – Dependant on what happens in the Intergovernmental Agreement Committee meetings

Motion made by Howard Ward, seconded by Ben O’Brien to recommend to the Village Board to approve the annexation of 13.62 acres part of the Southwest ¼ of the Northwest 1/4 , Section 34, T 5N, R 8 E, assumed as bearing N 00 degree 18’ 33” E. Town of Montrose, Dane County Wisconsin. Motion carried. Ayes All, Nays None

Motion made by Ben O’Brien, seconded by Howard Ward to approved North Channel Option 1 recommend approval of conservation easement with the Army Corp of Engineers 0.51 acres of floodplain forest protected from colored version of map dated February 6, 2012. Motion carried. Ayes All, Nays None

Motion made by Donna Moore, seconded by Howard Ward to adjourn. Motion carried. Ayes All, Nays None, Absent One

Respectfully Submitted
Julie L. Bigler