

PLANNING COMMISSION MINUTES
Mayville City Hall, 15 S. School Street, Mayville, WI
January 24, 2007

1.) Call to Order and Roll Call.

Meeting was called to order at 7:02 PM.

Members Present: Luce, Henkel, Kahlhamer, Sternat, Liebenow, Benter, Engel

Others Present: John Laufer, James Jendusa – 200 Dayton St. Project, Renae Thimm – Realtor for 200 Dayton Street project, Vern Hilker.

2.) Approve Agenda.

Motion by Kahlhamer seconded by Henkel to approve the agenda.

Unanimously Carried.

3.) Approve the Minutes of the October 25, 2006 meeting.

Motion by Henkel seconded by Luce to approve the 10/25/06 minutes.

Unanimously Carried.

4.) Preliminary review of zoning change request for Laufer Builders for Parcel 2322-005 (West of Mary Street) from Single Family to Multiple Family and Two Family.

This item was moved up on the agenda since John Laufer was, at the time, the only one in attendance.

Mr. Laufer explained his proposal to change the zoning on the parcel incrementally so that the homes on Mary street would have single family behind them, the next section of homes would be one and two family and finally multiple family on the west side of the property along the creek.

Hilker indicated that a Development Agreement was prepared in 2003 but Mr. Laufer did not proceed with the subdivision. Part of the proposed agreement was that the W/WW Utility agreed to fund a portion of the sanitary sewer replacement. The Utility will need to be contacted to see if they are still in that position. Also there is a need for a storm water retention pond as was shown on the 2003 proposal.

The Planning Commission is generally in favor of the rezoning proposal provided Vern contact the Utility to determine if they are still on board with the cost sharing and that revised plans be submitted by Mr. Laufer that include the retention pond.

Specific property descriptions will also be needed in order to accurately define where the splits in zoning would occur.

The 2003 Development agreement will be copied and distributed to the Commission and Mr. Laufer for the next meeting.

5.) Site Plan review / approval / recommendations for Red Brick Building Condo Project including a garage structure. 200 Dayton Street, Tax Parcel 2312-093.

This item was also moved up on the agenda since Mr. Jendusa was in attendance. Mr. Jendusa presented his project. It is a 55 and older project so it avoids the parking problem issue since only 1.5 stalls per unit is then required vs. 2 stalls per unit. Renae Timm the real estate agent was present and indicated that she has had considerable success on projects like this in the past.

Plans were reviewed and there was a question on whether the previously granted variances applied since the garage location was moved. Hilker read the Board of Appeals minutes to the Commission and are attached as part of these minutes. The major issue is that the garage location is now moved to the north on the lot. (approx. 50 feet) Previously it was shown on the south side of the lot.

Mr. Jendusa indicated that he can alter the design to meet the vision clearance triangle requirements and the 8 foot parking setback from the Dayton Street right of way. Motion by Henkel seconded by Luce to approve the site plan, provided the vision clearance triangle and 8 foot parking setback from the right of way on Dayton Street are met. The commission further wants an interpretation from the City Attorney on whether or not the previously issued variances apply or if new ones are required since the garage location was changed. If the project changes to an "any age" occupancy the Commission will also approve the use of the Library parking lot in the calculation of required parking since it is within 400 feet per 17.08.050. Should re-approval of the variances be required by the Board of Appeals based on the City Attorneys interpretation the Commission further recommends approval of the variances.

Unanimously Carried.

6.) Site Plan review / recommendation / approval - Kitchen expansion for the PUB, 333 Dayton Street, Tax Parcel 2313-101.

The Site Plan as submitted by Danny Luehring was reviewed.

The report prepared by the Building Inspector also was reviewed. As the zoning currently exists an addition is not permitted.

Vern indicated that he had some discussion with the Bldg. / Zoning Inspector and Brad thought it was possible to do the addition if the zoning were changed to B-3. On a corner lot, one of the street yards is assumed (by zoning ordinance definition) to be considered the rear yard. If that is the case the side yard (south) dimension needed for the addition would only be 10 feet.

There is B-3 Zoning directly across the street so if the subject property were changed to B-3 there is not a problem with spot zoning.

Motion by Henkel seconded by Kahlhamer to recommend to Council that the Zoning be changed from RM Multiple Family to B-3 Neighborhood Business subject to the Commission receiving a favorable written report from the Building/ Zoning Inspector which reviews the site plan considering the B-3 zoning.

Unanimously Carried.

7.) City Attorney Correspondence:
A. Recommendation on amending Ordinance 17.44.020 (B) relating to the restoration of non-conforming structures.

The correspondence and the proposed ordinance as prepared by the City Attorney were reviewed.

Motion by Engel seconded by Liebenow to recommend to Council approval.

Unanimously Carried.

B. Review of Extraterritorial procedural information letter / status.

The City Attorney's letter was reviewed.

The Mayor gave a report on the extraterritorial discussions which are at a standstill. Dean Perlick, Manager of Planning from Dodge County, had indicated by phone that the Town will not consider Extraterritorial Zoning revisions unless renewed Boundary Agreement discussions are part of the process.

The Mayor indicated that he has not received any requested discussion items from the Town to further consider issues with a Boundary Agreement.

Per the City Attorney we basically wait 2 years with no activity on the extraterritorial zoning and then it lapses. In the meantime we do have the land division ordinance in place as a regulatory tool in the ET area.

No action necessary.

8.) Updated Zoning Handbook pertaining to recommending and granting variances.

The City Attorney provided copies of a handbook pertaining to the granting of variances. This was distributed to the Commission with the packets for informational purposes.

No action necessary.

9.) Comprehensive Plan – Directive List Preparation

The 1999 Directive List Update was reviewed to give the Commission an idea of what we had done in the past. Vern handed out updates to the Recommendations Report of the current plan which he prepared that the Commission can approve, delete, revise or add to in order to update the Recommendations Report. Once that is done a Directive List will be prepared. The process keeps the Comprehensive Plan as a working document.

The Commission members will review the material and be ready to discuss it at the next meeting.

10.) Adjournment

Motion by Kahlhamer seconded by Benter to adjourn.

Unanimously Carried.

Meeting Adjourned 8:30 PM.

Vern Hilker, Director of Public Works / Secretary to the Planning Commission