

**CITY OF EDGERTON  
EDGERTON CITY HALL  
12 ALBION STREET  
EDGERTON, WI**

**PLANNING COMMISSION**

Wednesday, September 1, 2021 at 6:00 P.M.

**REMOTE PARTICIPATION:** To participate or view the meeting, please select the link to the meeting listed on the **calendar events** on the City website's home page at [www.cityofedgerton.com](http://www.cityofedgerton.com)

1. Call to Order; Roll Call.
2. Confirmation of appropriate meeting notice posted Friday, August 27, 2021.
3. PUBLIC HEARING:
  - A. The Plan Commission will hold a public hearing to hear comments regarding a request by T&D Plaza LLC / Don Deegan for approval of a conditional use permit for a Group Development to allow the construction of a storage building at 1025 N Main Street (6-26-955.2A).
  - B. Close the public hearing.
4. Consider request by T&D Plaza LLC / Don Deegan for approval of a conditional use permit for Group Development to allow the construction of a storage building at 1025 N Main Street (6-26-955.2A).
5. Consider approval of August 10, 2021 Plan Commission meeting minutes.
6. Consider Extraterritorial Land Division to combine 2 lots on N Riverview Drive in Section 11 of the Town of Fulton for Spindler.
7. Set next meeting date and future agenda items.
8. Adjourn.

cc: Commission Members                      All Council Members                      Department Heads  
City Engineer                                      Newspapers

**NOTICE:** If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341.

Notice is hereby given that a majority of the Common Council is expected to be present at the above scheduled noticed meeting to gather information about a subject over which they have decision-making responsibility. The only action to be taken at this meeting will be action by the Planning Commission."

**TO:** Edgerton Plan Commission

**FROM:** Ramona Flanigan

**MEETING DATE:** September 1, 2021

**GENERAL DESCRIPTION**

**Description of Request:** Approval of a site plan and a conditional use permit (group development) to allow the construction of a storage building.

**Location:** 1025 N Main Street (6-26-955.2A)

**Applicant:** T&D Plaza LLC / Don Deegan

**Current Zoning/Land Use:** B-3 / retail

**STAFF REVIEW COMMENTS**

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Subdivision Ordinances and has the following comments:

1. The subject parcel is located at 1025 N Main Street. The parcel is zoned B-3 Large Scale Commercial. The petitioner proposes to construct a storage building. The building is larger than the maximum size of an accessory structure thus requiring a conditional use permit as a group development.
2. The petitioner wishes to construct an 80' x12' open storage shed between the building and Ladd Lane. The petitioner received a variance to allow the structure to be built 11' from the north (Ladd Lane) property line. The area is currently fenced in and used for outside storage. The structure will screen much of the outside storage from Ladd Lane.
3. The exterior of the structure will have neutral colored, three-sided, steel "pole barn" style siding. It will be open on the side facing the existing building. Traffic will no longer be allowed to travel through the area. Loading of rental equipment will occur on the east end of the area. The existing fence will remain to create an enclosed yard except it will be removed when adjacent to the building.
4. The area between the proposed building and the Ladd Lane sidewalk is already paved precluding the ability to plant a landscape screen along the building. A condition of the variance is that the petitioner provide and maintain plants in planters along the Ladd Lane side of the building to break up the wall.
5. Since the entire yard is paved, stormwater from the area currently runs across the sidewalk to Ladd Lane. The petitioner does not plan to put gutters on the structure. If

gutters were installed, the runoff would have to be directed to an underground system.

5. The landscape plan requires an additional 58 landscape points. In addition to the planters required by the Board of Appeals, the Commission could require low growing street trees be planted along Ladd Lane.
6. There is no outside lighting proposed.

### **STAFF RECOMMENDATION**

Staff recommends the Plan Commission grant site plan approval and a conditional use permit to allow the construction of a storage building at the 1025 N Main Street with the following conditions and findings:

#### **Conditions**

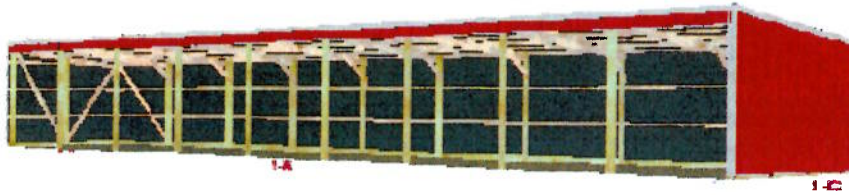
1. The petitioner provides a landscape plan that complies with the Commission's and the ordinance requirements.
2. If gutters were installed, the runoff would have to be directed to an underground system

#### **Findings**

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206.(4)(c) 2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22.206.(4)(c) 3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property 22.206.(4)(c) 4.
4. The proposed conditional use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole, per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.



Elevation Views



Handwritten notes in blue ink, including a vertical list of 'X' marks and some illegible text.

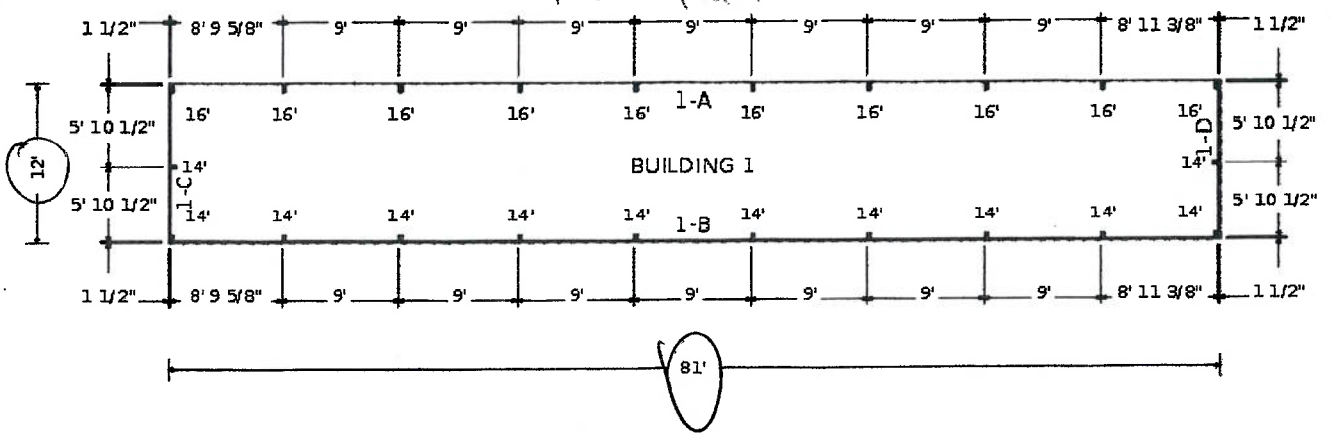
Handwritten notes in blue ink, including a vertical list of 'X' marks and some illegible text.

Fence

A building would be centered on south side of chain link fence.

A fence is 11' from property line. The back of the structure will hit up to the fence.

Floor Plan



In order to finish our remodel project we need to extend our lawn and garden sales outside. Due to the positioning of the building on the site a building is needed on the north side. This →

will allow for lawn and garden shoppers to flow through the store and outside safely ~~and~~ and still protect our inventory from theft and the weather. From a retail perspective its the best location, and from a safety perspective it is best also.

Thank You, For Your Consideration

Don Deegan

**AUGUST 10, 2021 PLAN COMMISSION MEETING MINUTES  
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:30 p.m.

Present: Christopher Lund, Jim Burdick, Paul Davis, Theran Springstead, Jim Kapellen, Julie Hagemann, and Ron Webb.

Also present: City Administrator Ramona Flanigan, Clerk-Treasurer Cindy Hegglund, and a group of citizens.

Clerk-Treasurer Cindy Hegglund confirmed the meeting agendas were properly posted on Friday, August 6th at the Post Office, Edgerton Library, City website and City Hall.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Ilir Banushi for the approval of a Planned Development/General Development Plan to allow the construction of a 42-unit apartment building located south of Lake Drive and west of Dairyland Drive (parcel 051234481982).

City Administrator Ramona Flanigan provided background on the proposal. The petitioner is requesting approval of a General Development Plan for a Planned Development to allow the construction of 42-unit apartment building. The size of the structure and number of units requires approval as a Planned Development.

This building is proposed to be built behind the veterinary clinic and is the first building of a multi unit complex. Flanigan stated it is proposed to have one and two bedroom apartments with underground parking, and be marketed to the 55 and over population.

Access will be from Dairyland Drive that connects to Lake Drive.

Flanigan noted the deviations from the ordinance: 42 units compared to non-Planned Development maximum of 17; proposal of 66 parking stalls instead of the required 84 stalls; and building height of 46 ft instead of the permitted 35 ft. It is recommended the façade and roofline vary materials and texture to break up the large structure.

Flanigan stated there are no stormwater control plans; grading plans; lighting information and outdoor utility locations. She noted the Plan Commission may table this public hearing until these items are available.

There is no parkland being proposed so the developer must pay the parkland fees. The Planned Development process allows for variances to the ordinance requirements in exchange for “higher level of site design, architectural control and other aspects of aesthetic and functional excellence than normally required for other developments”. Items the Commission may want to consider are walking paths, indoor/outdoor gathering areas, upgrades to building materials and building details.

Anette Murwin, 54 US Hwy 51, stated her property's backyard will be very close to this development. She asked what this development will do to the value of her property. She noted there is a car lot on one side of her, farmland on another and car repair down the road.

Flanigan stated the civil drawings may change the location or design of the building so the Plan Commission may wish to keep the public hearing open to allow for adjustments. Pete Weston, architect for the project, stated his clients may want to change the location of the parking lot given some conversations. As for dumpsters, there is an area in the basement of the building dedicated to trash and recycling so nothing is stored outside.

Weston was asked if there will be a 55 and over requirement or is it just a recommendation. He responded it is his client's intent to be 55 and over but if the market does not warrant enough interest, this may change.

Jim Kapellen stated even 55 and over complexes have active people that are looking for outdoor recreational areas. Weston noted that the future additional buildings are planned to offer more activity options. Kapellen replied it may take a long time before the other buildings are constructed so he would like to see something proposed with this plan.

Theran Springstead asked Pete Weston to justify the need for such a large building and the large number of apartment units. Weston replied underground parking and an elevator are very costly items to install in any type of building. In order to make this cashflow, more units that brings in adequate income is needed.

As an alternative, Weston stated they could build fewer units with outdoor parking that are lighter construction and less expensive to build.

In conversations with the investors, Weston has the impression they will continue with the other buildings once the units in this building are rented and there is a cash flow. Flanigan provided slides of other communities' large buildings, similar to the size, that provide visual amenities to make them appear less large.

The Plan Commission debated if they wish to table the public hearing to allow more public input once the civil drawings are available.

A Jim Kapellen/Theran Springstead motion to table the public hearing for the Planned Development/General Development Plan to allow construction of a 42-unit apartment building locate south of Lake Dr and west of Dairyland Dr passed on a 7/0 roll call vote.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Edgerton School District/Superintendent Dennis Pauli for approval of a conditional use permit for Group Development to allow the construction of a maintenance building at 200 Elm High Dr (parcel 6-26-919.1).

City Administrator Ramona Flanigan stated a maintenance building is being proposed west of the tennis



courts. The building is larger than the maximum size of an accessory structure thus requiring a conditional use permit as a group development.

The proposed 5,450 sf building includes 6,100 sf of new pavement (not including the building footprint). Depressed loading docks and 6 overhead doors are located on the south face of the structure and one overhead door on the north side are planned. The exterior will have metal siding with wainscot brick veneer on the southside.

There will be water and sewer in the building. The sanitary sewer is a force main that is proposed to connect to the force main serving the middle school. This force main should connect to the same manhole serving the current force main.

The storm water management pond is proposed north of the building. The pond will drain to the creek. The site requires 351 landscape points and lighting will be located on the building over the service doors.

Hearing no comments, the Mayor closed the public hearing.

**EDGERTON SCHOOL DISTRICT REQUEST FOR CONDITIONAL USE PERMIT FOR GROUP DEVELOPMENT TO CONSTRUCT A MINTENANCE BUILDING AT 200 ELM HIGH DRIVE:** Jim Kapellen asked for clarification on the amount of pavement being proposed. Flanigan stated the 6,100 ft does not include the interior of the building.

Flanigan asked the Commission, if they approve the conditional use, that they allow the City Engineer approve the connection of the sanitary sewer.

Jim Kapellen/Ron Webb motion to grant site plan approval and a conditional use permit to allow the construction of a maintenance building at the High School located at 200 Elm High Dr with the following conditions and findings:

Conditions

1. The City Engineer approves the plans including stormwater and erosion control.
2. The petitioner provides a landscape plan that complies with the ordinance requirements.
3. The petitioner connects the sanitary sewer to a manhole as approved by the City Engineer.
4. Screening is provided if a dumpster is installed.

Findings

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206.(4)(c) 2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22.206.(4)(c) 3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property 22.206.(4)(c) 4.
4. The proposed Conditional Use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole, per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

The motion passed on a 7/0 roll call vote.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by the City of Edgerton to amend Section 22.503(1)(c) to reduce the minimum duration of a message on an electronic message center sign from 60 seconds to 30 seconds.

City Administrator Ramona Flanigan stated currently the City has a minimum of 60 seconds between changes on electronic message signs. The vendors marketing these signs recommend the message change every 30 seconds instead.

Hearing no comments, the Mayor closed the public hearing.

**CONSIDER AMENDMENT TO SECTION 22.503(1)(c) DURATION OF ELECTRONIC MESSAGE SIGN:** A Ron Webb/Jim Burdick motion to approve the amendment to Section 22.503(1)(c) to reduce the minimum duration of a message on an electronic message center sign from 60 seconds to 30 seconds passed on a 7/0 roll call vote.

**MINUTES:** A Jim Kapellen/Ron Webb motion to approve the minutes from the June 30, 2021 Plan Commission meeting passed, all voted in favor.

**MODIFICATION OF PATIOS AND ROOF LINES FOR BRISTLE PINES CONDOMINIUMS:** City Administrator Ramona Flanigan stated the developer wishes to move almost all of the patios from the side of the buildings to the rear of the buildings. In addition, they are requesting to change the roof line of the garages facing the front from a hip roof line to a gable.

Theran Springstead stated he likes the changes being proposed. One additional thought he had was the size of the garages. The two stall garage is not large enough to store garbage and recycling containers inside if there are two cars parked inside. This will leave the containers outside along the front of the units.

A Jim Kapellen/Ron Webb motion to approve the minor modification to the PIP for Bristle Pines PD by adding a gable roof line to the front of the structure and moving the majority of the patios to the rear of the units passed on a 7/0 roll call vote.

**EXTRATERRITORIAL LAND DIVISIONS:** A Ron Webb/Paul Davis motion to approve an extraterritorial land division to create 2 lots on the corner of Jacobas Rd and Edgerton Rd, Section 34, Town of Albion for Ellifson passed on a 7/0 roll call vote.

A Jim Kapellen/Ron Webb motion to approve an extraterritorial land division to combine 2 lots on N Ellendale Rd, Section 11, Town of Fulton for Hill passed on a 7/0 roll call vote.

Being no other business before the Commission, a Jim Kapellen/Theran Springstead motion to adjourn passed, all voted in favor.

Ramona Flanigan/ch  
City Administrator

Approved September 1, 2021

**TO:** Edgerton Plan Commission

**FROM:** Ramona Flanigan

**MEETING DATE:** September 1, 2021

**GENERAL DESCRIPTION**

**Address:** N Riverview Drive in Section 11 of the Town of Fulton

**Applicant:** Spindler

**Parcel Size:** 28,105 sf

**Description of Request:** Approval of an extraterritorial certified survey map to combine existing lots.

**STAFF REVIEW COMMENTS**

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

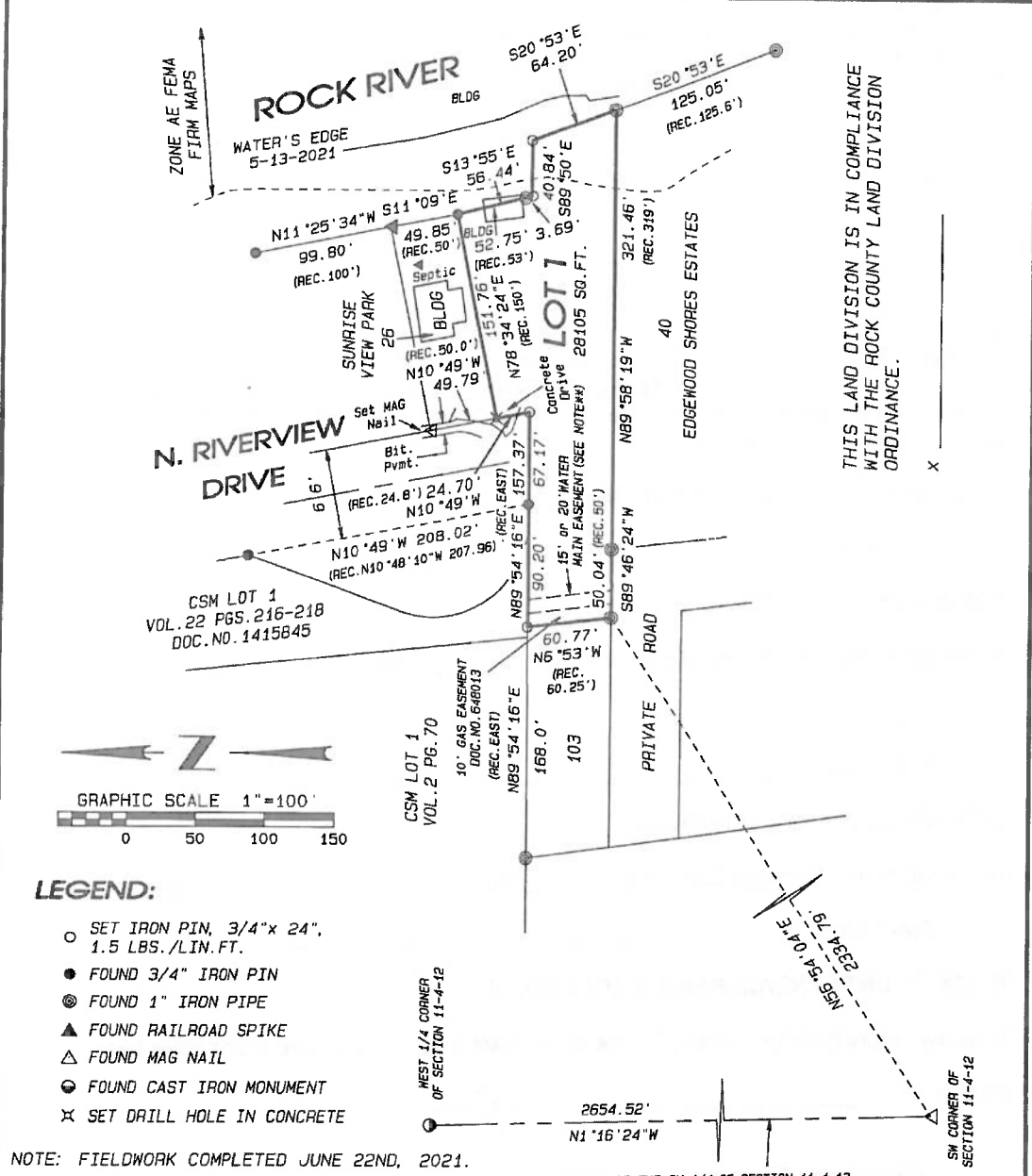
1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The proposed land division combines 2 lots and does not create any additional lots.

**STAFF RECOMMENDATION**

Because the petitioner does not propose to create any additional lots with this land division, staff recommends the Plan Commission recommend the City Council approve the proposed land division.

# CERTIFIED SURVEY MAP

LOT 39, EDGEWOOD SHORES ESTATES AND LOT 27, SUNRISE VIEW PARK, LOCATED IN GOVERNMENT LOTS 3 AND 4 OF FRACTIONAL SECTION 11, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



THIS LAND DIVISION IS IN COMPLIANCE WITH THE ROCK COUNTY LAND DIVISION ORDINANCE.

**LEGEND:**

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN. FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND 1" IRON PIPE
- ▲ FOUND RAILROAD SPIKE
- △ FOUND MAG NAIL
- ⊕ FOUND CAST IRON MONUMENT
- ⊗ SET DRILL HOLE IN CONCRETE

NOTE: FIELDWORK COMPLETED JUNE 22ND, 2021.

NOTE: ASSUMED N1°16'24"W ALONG THE WEST LINE OF THE SW 1/4 OF SECTION 11-4-12.

NOTE: DOC. NO. 556650 STATES DEED IS SUBJECT TO GRANTS, EASEMENTS AND RIGHT OF WAY TO WP&L. NO LOCATIONS WERE DEFINED.

\*\*NOTE: DOC. NO. 1311628 IDENTIFIES THE EASEMENT WIDTH IN THE NARRATIVE AS 15 FEET IN WIDTH. AN EXHIBIT IN THE DOCUMENT SHOWS THE WIDTH AS 20 FEET.

Combs & Associates

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- LAND PLANNING
- CIVIL ENGINEERING

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**CERTIFIED SURVEY MAP**

LOT 39, EDGEWOOD SHORES ESTATES AND LOT 27, SUNRISE VIEW PARK,  
LOCATED IN GOVERNMENT LOTS 3 AND 4 OF FRACTIONAL SECTION 11, T.4N.,  
R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.

**OWNER'S CERTIFICATE**

As owners, we hereby certify that we have caused  
the land described on this map to be surveyed,  
divided, mapped, and as represented hereon.

X \_\_\_\_\_  
Mark F. Spindler

X \_\_\_\_\_  
Karen Y. Spindler

State of Wisconsin  
County of Rock SS. Personally, came before me this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, Mark F. Spindler and Karen Y. Spindler to me well  
known to be the persons who executed the owner's certificate hereon shown and  
acknowledged the same.

Notary Public, Rock County, Wisconsin \_\_\_\_\_

My Commission \_\_\_\_\_

**TOWN BOARD APPROVAL**

Approved by the Board of the Town of Fulton this \_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

Town Clerk \_\_\_\_\_

**CITY OF EDGERTON APPROVAL**

Approved by the Common Council this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Town Clerk \_\_\_\_\_

**ROCK COUNTY TREASURER'S CERTIFICATE**

I hereby certify that the Property Taxes on the parent parcel are current and have been  
paid as of \_\_\_\_\_, 20\_\_\_\_.

Rock County Treasurer \_\_\_\_\_

SHEET TWO OF THREE SHEETS  
Project No. 121-134 For: SPINDLER