

**FEBRUARY 22, 2021 PLAN COMMISSION MEETING MINUTES  
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:00 p.m.

Present: Christopher Lund, Jim Burdick, Anne Radtke (remote), Jim Kapellen, and Julie Hagemann. Paul Davis joined the meeting remotely at 6:10 p.m.

Absent: Ron Webb.

Others Present: City Administrator Ramona Flanigan and a group of citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, February 19th at the Post Office, Edgerton Library, and City Hall.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Northwoods Development for the approval of a Planned Development/General Development Plan to allow the construction of nine duplexes southwest of the corner of West Meadows Drive and Hwy 59 (parcel 6-26-860.45).

City Administrator Ramona Flanigan stated this is the first public hearing for consideration of the General Development Plan (GDP) which, if approved, grants zoning. No development can occur until after a second public hearing is held and the Commission approves a Precise Implementation Plan.

The proposed development complies with the City's Comprehensive Plan which recommends this parcel be developed as duplexes or townhouses at a maximum density of up to 8 units per acre. The developer is proposing 9 duplexes with 3.9 units per acre.

The plan indicates construction of a "dead end" 30' wide private street with curbing, except for around the hammer head. Access for three of the units will be from W Meadows Dr with the remaining units accessing the proposed private street.

Each unit has a two-car garage that is located in the front of the units. The floor plan indicates one of the garages faces the street while the other garage has a side access thus the garage and front door does not face the street.

The water, sewer and storm sewer mains will be dedicated to the City; the streets and stormwater bioretention basins will not be dedicated. Easements will be required for the infrastructure that will be dedicated. The two bioretention ponds will address water volume restrictions in the existing storm sewer that flows to the storage area at the corner of Dallman Road and W Fulton St.

Additional recommendations include: payment of parkland fees; payment for the regional stormwater pond; installation of landscape screening along the highway; and installation of public sidewalk along W Meadows Dr.

Flanigan explained Planned Developments allow for developers to vary ordinance requirement in exchange for a “higher level of site design, architectural control and other aspects of aesthetic and functional excellence than normally required for developments”.

The Planned Development process requires a listing of the regulations with which the proposed planned development does not comply. In this case the alternative is a conventional subdivision that requires each duplex be on its own parcel. With a conventional subdivision, the units would be closer to the rear lot line, and most likely only 8 duplexes would be allowed.

The Mayor opened the floor for public comments.

Ron Combs, Combs Associates, is representing the developer on this project. Mr. Combs stated the units are planned to be owner occupied with a condo association.

The units are designed so not all garages will be facing the road. Units will be 1,350sq ft with full basements. Construction will begin this summer if the development is approved.

Roy Phelps, 115 Coralberry Court, asked if there will be any blasting? He heard there is bedrock in that location. Ron Combs stated they are not planning for blasting.

Roger Engel, 41 Spruce St, stated he represents his condo association and their members have some questions. He asked if rentals will be allowed in the condos. Ron Combs stated it is not intended to be rental property but they will not prevent it. The units will sell for \$225,000 - \$300,000.

Roger Engel stated there is concern about the quality and the density of the units. The existing condo association has a larger amount of green space between units and they are concerned with it being so close to their association.

He asked about the private street. City Administrator Ramona Flanigan stated as a private street, the City will not maintain the street nor plow it.

John Fahlgren, 212 W Meadows Dr, noted that he has a concern with the increase in traffic from these 18 units that will have only one access on to W Meadows Dr.

Roy Phelps asked for more re-assurance that there will not be any blasting with the development. His home is close to the site and he is concerned about damage. In addition, he asked where the walking path will be located. City Administrator Ramona Flanigan stated the path location has not be determined.

She added at this time there are no street lights proposed. More of these details will be discussed at the next public hearing. Ron Combs stated the plan is for lighting to be located on the duplexes.

Hearing no further comments, the Mayor closed the public hearing.

**CONSIDER PD/GDP FOR NORTHWOODS DEVELOPMENT:** Jim Kapellen asked with a condo association, who owns the land. Roger Engel stated the association is the owner of the common land.

Jim Kapellen asked about the bioretention pond, will they be holding water? City Administrator Ramona Flanigan stated these will be basins similar to a rain garden; it will fill and drain but stay wet enough to support wetland plantings.

Julie Hagemann asked how close will the units be to the bioretention ponds, existing pine trees and existing condos. Ron Combs stated the ponds will only be 1 or 2 feet deep and the exact location will be shown at the next phase of the design plan. Patios will also be added to each unit with green space all around the building complex.

Julie Hagemann asked about additional parking for visitors. She does not like street parking and suggested a parking area be added. Ron Combs stated they will take that into consideration. City Administrator Ramona Flanigan stated parking on the hammer head will need close evaluation to determine if there will be sufficient room for parking while still allowing the turn-around of emergency vehicles.

Anne Radtke stated in her opinion, she would like to avoid private roads within the City. She would like roads to all have the same esthetics and the condo owners have the same roadway maintenance rights as other property owners in the City. It was noted that two other condo developments in the city already have private roads.

Jim Kapellen stated the buyers of these condos will be provided the information about the private drives before they purchase so they understand their rights. It will also be laid out in the condo association documents.

City Administrator Ramona Flanigan added that the developer has chosen to make this a private road so they can develop with smaller setback requirements and keep the units further from the highway than what would otherwise be required. Jim Kapellen added there are advantages and disadvantages to these types of developments.

Jim Kapellen asked for clarification to the density of this area. Ron Combs interpreted the staff report to indicate the Comprehensive Plan allows for a larger density than what this development is proposing.

Julie Hagemann asked if the City can require the condo document to dictate units must be owner occupied. Developer Jen Petry stated they are concerned that in the event the economy goes bad, they want the owners to have the ability to rent units. The condo documents will have rental unit agreements. It is not the intent for these units to be sold as rental investment properties.

Mayor Chris Lund asked if the City has the authority to require the condo association documents to restrict renting of the units. City Administrator Ramona Flanigan would have to look into it further if the Plan Commission wants to require it.

A brief discussion on the possible negative impact there can be on allowing rental units. The neighboring land owners expressed a strong objection to having it allowed. Jen Petry stated renters will be required to abide by the same rules as the owners of the units. Jim Kapellen added that the owner's association will also be responsible for policing their rules.

Jim Kapellen/Jim Burdick moved to approve the GDP for a Planned Development for lot 45 of W Meadows First Addition with the following conditions:

1. The buildings are constructed to allow for division by a condominium plat.
2. The condominium documents address the maintenance of the private street.
3. The entire development is included in one condominium association.
4. The developer provides a document to be recorded for all utility easements as well as a document to discontinue the water main easement (if there is a recorded easement).
5. Provide a landscape plan that meets or exceeds the ordinance requirement that includes highway screening and wetland plantings in the bioretention basins.
6. Provide information about site lighting and for lighting at the intersection.
7. A public sidewalk is installed on W Meadows Drive.
8. A walking path is installed around the development.
9. The stormwater bioretention basins are “dry basins” and a maintenance agreement is included in the condo documents requiring the maintenance (prohibiting the filling in) of the basins.
10. The developer pays the regional stormwater basin fee.
11. The developer pays parkland fees with each building permit.
12. The petitioners comply with the conditions of the City Engineer and Edgerton Fire District.
13. The petitioner provides more detail for the bioretention basin.
14. The plan address “community parking.”

The motion passed on a 5/1 roll call vote. Anne Radtke voted against the motion.

An Anne Radtke moved to amend the previous motion to require a public street instead of a private street failed due to lack of a second.

**MINUTES:** A Jim Kapellen/Chris Lund motion to approve the minutes from the January 25, 2021 Plan Commission meeting passed on a 6/0 roll call vote.

Being no other business before the Commission, a Chris Lund/Jim Burdick motion to adjourn passed on a 6/0 roll call vote.

Ramona Flanigan/ch  
City Administrator

Approved March 16, 2021