

**APPROVED MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION**

The Monday, June 10, 2019 meeting of the Plan Commission was called to order at 7:00 pm by Chair Dave Benforado. Members present were: Mr. Benforado, Deb Remington, Earl Munson, Brauna Hartzell and John Imes. Jim Etmanczyk and Karl Wellensiek were excused. Also present was Karl Frantz, Village Administrator, Scott Harrington of Vandewalle and David Sykes, Administrative Services Manager/Deputy Clerk. About twenty visitors were in the audience.

Mr. Frantz confirmed the meeting had been properly posted and noticed.

Consider request for placement of an accessory structure shed in the front yard at 2910 Harvard Drive

Mr. Benforado explained that Kathy Killian, 2910 Harvard Drive, would like permission to place a shed in her front yard.

Mr. Frantz indicated that the Village revised the zoning code related to accessory structures a few years ago to only allow them to be located in the rear or side yard. Accessory structures are not allowed in front yards without the approval of the Plan Commission. There is no requirement for a public hearing or conditional use process for this particular accessory use, just Plan Commission approval.

Ms. Killian referred to her letter to the Commission explaining that it is the most logical place a shed could be placed. There is an existing gravel pad just off the driveway and plenty of green screening for a smallish shed to be placed next to the driveway.

Mr. Benforado asked if she had talked to her neighbors about a possible shed. Ms. Killian said the Etmanczyks were supportive and she has e-mailed Mr. Ahmann but had not heard back yet.

Mr. Munson feels the ordinance is meaningless if the Plan Commission can approve exceptions to the ordinance. Mr. Frantz agreed that the ordinance might need to be reconsidered, possibly adding a conditional use process. The history of the previous change came about due to sheds appearing around the Village. The ordinance was also changed to ease restrictions with regard to rear- and side-yard setbacks.

Mr. Imes asked if any sheds in front yards have been approved. Mr. Frantz said there have not been any that he can remember in the past 7+ years.

Ms. Remington said the exception language in the ordinance seems to indicate thought about exceptions was considered when the ordinance was developed.

Ms. Hartzell asked about the topography of the back yard. Ms. Killian confirmed that it is very sloped and the only logical place for a shed is the front yard.

Mr. Benforado reminded the Commission that a request for a shed in the front yard on Lake Mendota Drive was denied a few years ago. He said he was sympathetic to the homeowner's circumstances and appreciates her coming to the Plan Commission for approval.

Mr. Imes feels the Commission has some discretion and can make decisions on a case-by-case basis. He wants to know more details about the shed.

Ms. Hartzell agrees with Mr. Imes wanting to know more about the size and details on the screening.

Mr. Frantz said that if the Commission wanted to allow it, the Commission could put conditions on the shed (i.e. screening, rationale for approval) and record them in some type of document that could possibly be recorded with the register of deeds to maintain the information in the future.

Ms. Remington said this discussion reminds her of the request by the Reynolds on Lake Mendota Drive to put a fence in their front yard. The fence was determined to be a structure and not allowed

in the front yard on Lake Mendota Drive, but in that instance, the neighbors had a negative reaction to the fence.

Mr. Benforado said that based on the remarks he has heard, he will not support the request because of the potential changes in the future to the shed, green screening, etc.

Mr. Frantz said that regardless of this outcome, he has the sense that the ordinance may need to be reconsidered.

No action taken.

Status report on University Avenue corridor flood remediation projects

Mr. Benforado stated that minutes from Stormwater Committee meeting were included in the materials packet and are on-line. AE2S has completed stormwater model runs requested by the Village (in addition to those requested by the City of Madison). The City Engineers believe the most optimal solution (cost and feasibility) is a tunnel from the Midvale Boulevard/University Avenue/Rose Place area to Lake Mendota (under the Blackhawk golf course). It may be possible to add the tunnel to the existing University Avenue reconstruction project and qualify for 60% federal funding assistance. The Madison-area Planning Organization (MPO) has not spoken on the addition of the tunnel yet, but the City Engineers are optimistic of its chances because it would mitigate flooding along the University Avenue corridor. On Wednesday, June 12, the Village Board will consider joining the City of Madison in a contract with AE2S to determine feasibility and cost estimates for the tunnel. The Village's portion of the ~\$69K contract would be ~\$11K. The Stormwater Committee reviewed all of the AE2S stormwater model runs and the large tunnel turned out to be the best and most cost-effective option at this point.

Mr. Frantz added that extending the box culvert from Shorewood Boulevard to Grand Avenue would cost ~\$13M and would only have a marginal impact on University Avenue flooding. That money may be better used elsewhere. The current estimate for the tunnel is ~\$26M. AE2S is subcontracting with a world-renowned tunnel-engineering firm. The tunnel will need a very large catchment area to get water into the pipe. Preliminary estimates require about an acre of land in the Midvale Boulevard/University Avenue/Rose Place area for the catchment basin. The existing intergovernmental agreement for University Avenue reconstruction between the City of Madison and Shorewood Hills may need to be amended to incorporate the tunnel work. Everything is contingent on obtaining federal assistance funding because neither municipality could afford the projects without federal assistance.

Update on Village Sustainability Plan and Plan Commission review/input in July

Cara Silverman of the ad hoc Sustainability Committee will present the draft Sustainability Plan at the Commission's July meeting and receive feedback.

Adopt resolution recommending public participation process for Comprehensive Plan amendment

Mr. Benforado recused himself from the discussion at 7:52 pm and sat in the audience.

Mr. Imes chaired the meeting and introduced the resolution recommending the public participation process.

Scott Harrington of Vandewalle reminded Commissioners that the State Statutes require a resolution adopting a public participation plan as a first step for a possible amendment to the Village's Comprehensive Plan. The public participation plan allows for the incorporation of all the previous work to date into the record for a possible amendment to the Comprehensive Plan.

Mr. Munson wanted to clarify if this was for Garden Homes exclusively. Mr. Harrington indicate that it is predominantly intended for Garden Homes but could be expanded to other areas of the Village if the Commission felt it was appropriate.

Mr. Imes pointed out that the public participation plan includes time for public comment occurring at each meeting. Mr. Harrington said there is some flexibility to when the public comment would occur during meetings.

Mr. Munson moved and Ms. Hartzell seconded a motion to approve Plan Commission Resolution 2019-01 Recommending the adoption of a public participation plan for an amendment to the Comprehensive Plan.

Vote: Approved 4-0.

Presentation of concept plan by Degen and Associates for redevelopment in the Garden Homes subdivision with possible discussion

Tom Degen and his team presented their preliminary design work for possible redevelopment of Garden Homes to be considered as part of the Comprehensive Plan amendment. He summarized the property ownership (*43 total lots, 2 already converted to commercial, he owns 16 lots that were destroyed by flooding, he owns 8 more homes, leaving 17 other homes*), surrounding land uses, existing flood threats and his plan for redevelopment on Burbank Place. His team focused their design on moderate rain events that have affected Garden Homes, not the major rain events. The larger events will need a larger mitigation effort but his redevelopment plan could address the more chronic smaller flooding events that happen every year. Garden swales, curb and gutter, retention chambers, piping to convey water away are elements of the design and potential easement for the tunnel to the lake. He reviewed the proposed residential density and tax proceeds that could fund the project.

The proposed redevelopment would be done in two phases. Phase 1 would be a four-story apartment building on the east side of Burbank Place. Phase 2 would be four 4-unit townhomes on the west side of Burbank Place. The building heights would step down from the Credit Union to the residential homes on Maple Terrace.

Dale Streitenberger of JLA Architects discussed the character and context of the community related to his design of the apartments and townhomes. He designed the rooflines, dormers and gables to fit into the context of the neighborhood. It is designed to accommodate active older adults with accessibility, community amenities and the ability to age-in-place. However, the redevelopment would be marketed to everyone. The apartment would be about 70' x 300' with 40-50 units. Parking and living space would be flood proofed at about 4' above the road.

Mr. Degen compared his proposed redevelopment with many of the Vandewalle redevelopment objectives.

Ms. Remington asked if the development would be marketed towards seniors. Mr. Degen responded that the design would be attractive to active, older adults but it would not be restricted to seniors.

Mr. Munson asked if the townhomes would be for sale. Mr. Degen said the townhomes and apartments would all be rental units (with the possibility of converting to condominiums in the future, if desired).

Mr. Munson asked if there was any consideration of affordable housing units. Mr. Degen felt that affordable housing would be difficult financially due to the stressors on the project. He feels that if the flooding problems could be solved, this would be a great location for housing and it could potentially unlock the value of the surrounding properties.

Mr. Imes asked about the makeup of the units. Mr. Degen said it would be a mix of 1, 1+ or 2 bedroom units.

The audience members were concerned about the effect of the development on the other homes in Garden Homes; size of the development; and marketing to active, older adults rather than younger families. There was also concern that the new development would displace more water than it is retaining.

The Commission will take this information under advisement for consideration at a future meeting.

Mr. Benforado rejoined the meeting at 9:15 pm.

Update on Public Health and Safety Committee recommendation on keeping of dwarf goats and Plan Commission consideration of zoning code changes necessary

Mr. Frantz reported that a resident asked about keeping dwarf goats. The matter was referred to the Public Health & Safety Committee (PHS) for consideration. PHS found no public health problem and referred the matter to the Plan Commission. Mr. Frantz has done some research on urban livestock. He found that some areas near Chicago and on the west coast allow keeping goats with restrictions on breeds, numbers, neutered males, etc. There are no nearby communities that allow keeping of goats. If allowed, it would require an amendment to language in the Zoning Code. More information will be provided for the July Commission meeting.

Ms. Hartzell asked about the resident's reference to a 6' fence. Mr. Frantz indicated that a maximum of a 4' fences is allowed in the Code, but that might be adequate.

Ms. Remington asked if potbelly pigs are allowed. Mr. Frantz said they are not. However, the Commission may want to consider an urban livestock ordinance that would deal with exotic pets. Mr. Benforado suggested it might be possible to allow goats on a 1-year provisional basis.

Update on possible options to revise comp plan

Mr. Benforado reviewed the Comprehensive Plan update required by the State every 10 years. He and Mr. Frantz have been talking about the update since the summer of 2018. The August 2018 flooding event delayed plans to begin the update process. They met with Gary Becker (formerly of Vierbicher Associates, Inc.) to gauge his interest and availability to work with the Village on the Comprehensive Plan update. Mr. Becker was the principle author of the original Comprehensive Plan in 2009. They suggested that the process could be started in January 2020 and completed by December 2020 with the Board considering a recommendation from the Plan Commission to approve a new Comprehensive Plan. Mr. Becker is considering the process and will develop a scope of work and cost estimate.

Minutes: May 14

Mr. Benforado suggested one correction to when he rejoined the meeting. Mr. Munson moved and Ms. Remington seconded a motion to approve the May 14, 2019 minutes with the correction.

Vote: Approved 5-0.

Next Meeting

The Commission's next meeting is scheduled for Tuesday, July 9, 2019 at 7:00 pm.

Adjourn

The meeting was adjourned at 9:44 pm.

Respectfully submitted,

David Sykes
Administrative Services Manager/Deputy Clerk