

**AUGUST 10, 2020 JOINT COMMON COUNCIL AND PLAN COMMISSION
MEETING MINUTES
CITY OF EDGERTON**

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

Plan Commission members present: Christopher Lund, Jim Burdick, Anne Radtke (remotely), Paul Davis, Jim Kapellen, Julie Hagemann, and Ron Webb.

Council members present: Casey Langan, Candy Davis, Robert Reynolds, Anne Radtke (remotely) and Jim Burdick.

Council member Sarah Braun was excused.

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Hegglund, City Attorney Bill Morgan, and a group of citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, August 7, 2020 at the Post Office, City Hall, Edgerton Library door and City's website.

PUBLIC HEARING: Mayor Lund announced the request by Hillside Properties Edgerton LLC to amend the City of Edgerton Comprehensive Plan for the unplatted area along Hwy 59 and area southwest of Leslie Drive in the unplatted area of Windfield Subdivision has been withdrawn.

PUBLIC HEARING: The Plan Commission and City Council held a public hearing to gather input on the request by Don Cosgrove/Blake George to amend the City of Edgerton Comprehensive Plan for the unplatted area of Orchard Heights Subdivision from Single Family to Planned Neighborhood.

City Administrator Flanigan presented the following background related to the Orchard Heights Subdivision and the Comprehensive Plan:

“The Comprehensive Plan was adopted in 2015. At that time, the Orchard Subdivision was underway with some lots developed; a conceptual lot layout for the entire neighborhood had been reviewed; and the entire neighborhood had been rezoned to R-2 Residential District Two. Because the zoning was already in place for the entire subdivision, the 2015 Comprehensive Plan recommended the neighborhood be developed as single family residential, except for a 7-acre parcel near the street entrance across from Lois Lane which is planned for an Institutional land use (labeled lot 205 in the attached map). Had the undeveloped portion of the neighborhood not already been zoned R-2 when the Comprehensive Plan was adopted, this area would most likely have been designated a Planned Neighborhood land use. The Planned Neighborhood land use is used extensively in the Comprehensive Plan for the other future development areas in the City.”

The following is an excerpt from the Comprehensive Plan describing the Planned Neighborhood land use.

Planned Neighborhood

The Planned Neighborhood land use category encourages a mix of residential development. *Single Family Residential* development is planned to make up the majority of the residential units (approximately 70 percent of residential), integrated with well-designed, limited components of *Two Family Residential* (approximately 10 percent of residential), *Multi-Family Residential* (approximately 20 percent of residential), *Institutional*, *Park*, *Neighborhood Office*, and *Neighborhood Business* land uses. Such plans encourage the use of complementary vehicle and pedestrian transportation networks, urban design strategies including the preservation and enhancement of vistas, neighborhood gathering places, and visual focal points.

The ideal end result for these new areas is new neighborhoods that capture much of the charm and unique character of the best historic neighborhoods in the community, and the added benefit of more completely coordinated land use, open space, and transportation patterns. Areas planned in this manner will be more marketable to a greater diversity of ages, incomes and lifestyles, and will typically appreciate in value faster than single-use neighborhoods which employ “cookie cutter” street patterns, lot sizes, and structures over very large areas that become indistinguishable from each other. The combination of a fine-grained land use pattern with careful aesthetic planning is one of the critical factors in creating the lasting charm of a historic City like Edgerton.

The *Planned Neighborhood* area is intended to provide a highly-planned mix of residential dwelling units and density types; neighborhood-oriented shopping opportunities, such as convenience store or small specialty grocery stores, beauty shops, bakeries, or pharmacies; a range of employment opportunities (usually located on the edges of the neighborhood), including small offices and businesses such as those mentioned above; live-work arrangements, such as apartments or lofts over studio or other commercial space; and educational facilities, such as elementary schools and day care. These neighborhoods should be connected to other neighborhoods by a network of streets that discourage high travel speeds, but still allow access to emergency and maintenance vehicles.

Land use goals, objectives, and policies

Goal: Promote a future land use pattern containing a logical and sustainable mix of uses and building types.

Objectives:

- a) Ensure that adequate development areas are reserved for a variety of land uses.
- b) Balance individual property rights with the needs and vision of the community.
- c) Consider the mix of uses on a property carefully when reviewing zoning and land use decisions. The property’s contribution to the overall balance of uses within the City should also be considered.

Zoning

If the plan amendment were approved, the land owner would then seek to rezone portions of the property. The rezoning process would be the subject of a future public hearing. A draft of the proposed rezoning map is included in this packet **for information only**. The zoning map will not be considered or discussed at the August 10, 2020 meeting.

The draft zoning map presented by the petitioner proposes single family development throughout the unplatted area except for the following:

- Two family lots around the area previously planned for institutional (lot 205)
- Mixed use for the area generally previously planned for institutional near the

- highway
- Larger single family lots referred to as Estate Lots along the eastern edge of the neighborhood.

Flanigan stated the zoning is not being considered this evening. In order to allow for development other than single family, the first step is to amend the Comprehensive Plan as is being considered this evening. If the Plan is amended, the following steps are required: a development plan is presented; a rezoning request is made; and a public hearing is scheduled before any determination by both the Plan Commission and City Council.

Mayor Lund stated the City received a number of written statements regarding the Orchard Heights public hearing. Members of the Plan Commission read each statement for the record. In total, there were 24 statements opposing the amendment, one supporting the amendment and one that was undecided. (Copies of the statements are attached.)

Cassie Riley, 510 Shearer Dr, read her written statement opposing the amendment for the record.

Amber Grenfell, 230 Orchard St, stated her and her partner Zachariah Reynolds are opposed to the amendment for many of the same reasons as others stated. She feels the traffic coming off Highway 51 will increase in numbers and speed where many small children live and play.

Blake George, representing developer Don Cosgrove, stated there is no intent to destroy or change the aesthetics of this neighborhood. There is no economic proof that apartments decrease the value of property or that they over burden schools.

The multi-family units being proposed are planned to be built at market rates with high end amenities. There is no plan for retail development in this area. The 7 acres are being considered for a senior housing complex with twin homes or duplexes around it.

There are two new exists to Highway 51 planned and required so it would not trap people in a neighborhood. These would also service the multi-family areas so less traffic would travel through the single-family area. This area is not abutting any of the existing single-family homes that now exist.

The developer has also planned for estate lots that have larger lot sizes and geared for higher end homes. Mr. George noted that these types of lots would not be included or sellable if large apartment units were planned next to them.

Mr. George stated he understands that the uncertainty of what may develop in the neighborhood is definitely scary. He commends those that are in attendance for gathering the facts and information of what is planned.

Julie Hagemann asked what is the likelihood of a senior housing development happening. Mr. George stated he has spoken to two developers both of which are interested in developing in Edgerton.

Julie Hagemann asked about parking issues with duplexes. She sees street parking as a safety issue with small children. Mr. George gave a couple of examples of alternatives for additional parking. Ramona Flanigan again noted the proposed development is not platted and everything in the unplatted area can change.

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

CONSIDER THE AMENDMENT TO THE CITY OF EDGERTON COMPREHENSIVE PLAN FOR THE AREA KNOWN AS THE UNPLATTED AREA OF THE ORCHARD HEIGHTS NEIGHBORHOOD: Anne Radtke/Jim Kapellen moved to deny City of Edgerton Resolution 12-20.

Anne Radtke asked if the development requires a lift station. The City Administrator stated it does not.

Robert Reynolds stated he represents District 2 that contains the majority of the apartment buildings within the City. He noted he also lives in an apartment and does not feel it is fair that he may have to go back to his constituents to tell them that rent will increase again because the City has turned down the potential of building additional apartments. The lower income residents have to live somewhere and it may be these people's children someday.

Reynolds sees the potential plan well thought out and the duplexes being built in an area that transitions well for the area.

Jim Burdick, representing District 3 where this subdivision is located, stated he wishes more of the neighborhood residents were present to hear Blake George's presentation and proposal. Looking at this and knowing this is only step one of the process makes this not so threatening. He understands the concerns but believes they can be addressed in creating a well-balanced neighborhood.

Amber Grenfell stated she feels Mr. Cosgrove has given the neighborhood a "bait and switch". Many families have other commitments and with the pandemic have chosen not to attend this evening. There are other properties where apartment buildings can be built on but their neighborhood was sold as single-family housing and that is what she wants it to remain.

Eric McDaniels, 536 Falk Dr, stated there is a lot of mistrust in the intent of this amendment. This area has been advertised and sold as single-family lots. City Administrator Flanigan again noted that this is not a rezoning and no one here is trying to mislead. In order to consider anything but single family the first step is to amend the Comprehensive Plan. Without amending the Comprehensive Plan, nothing else can be considered. It does not mean anything else will be approved but does allow developers to work with the neighborhood residents to consider alternatives.

For clarity, the City Administrator stated existing neighborhood covenants go with a platted subdivision. They do not extend to other existing unplatted areas.

Julie Hagemann stated as a Plan Commission member, she feels by approving the amendment the Commission is saying it approves of multi-family and commercial development. Again, the City Administrator stated there will be future decisions with platting and zoning to approve or deny the developers plans. The Plan Commission has control of the development future.

The 7 acres that are not single family are zoned institution. That allows buildings like churches and schools. In order to have a senior development the Comprehensive Plan would need to be amended.

Jim Kapellen stated his concern is the big advertising sign that stated 237 single-family lots. When they were not selling, Mr. Cosgrove came back to the Plan Commission and asked to change two lots for duplexes. He was turned down because the neighbors objected to anything other than single-family homes.

He continued, there are well managed duplexes and not well managed duplexes and there is no guarantee what these may be. Again, this creates uncertainty.

Jim Kapellen stated if the amendment to the Comprehensive Plan is denied tonight, it does not allow the developer to do anything but single-family lots.

Mr. George stated he regrets presenting the current plan. It was something that would work in that area but not necessarily what they wish to do. If he comes back, he may leave it as a blank parcel.

The motion by Anne Radtke/Jim Kapellen to deny City of Edgerton Resolution 12-20: Recommending the amendment to the City of Edgerton Comprehensive Plan for the area known as the unplatted area of the Orchard Heights Neighborhood passed on a 4/3 roll call vote. Voting against the motion were Ron Webb, Chris Lund and Paul Davis.

After the vote, Jim Kapellen recommended Mr. George meet with the neighborhood and come up with an acceptable plan. If that happens, he would then vote for the amendment.

PUBLIC HEARING: The Plan Commission and City Council held a public hearing to gather public input on the request by the City of Edgerton to amend the City of Edgerton Comprehensive Plan for 407 N Main Street from Planned Business to Institutional.

Hearing no comments, the Mayor closed the public hearing.

CONSIDER AMENDMENT TO THE CITY OF EDGERTON COMPREHENSIVE PLAN FOR 407 N MAIN STREET FROM PLANNED BUSINESS TO INSTITUTIONAL: A Jim Kapellen/Ron Webb motion to adopt City of Edgerton Resolution 13-20: Recommending the amendment to the City of Edgerton Comprehensive Plan for 407 N Main Street passed on a 7/0 roll call vote.

A Candy Davis/Anne Radtke motion to introduce and approve the first reading of City of Edgerton Ordinance 20-07: Adopt an amendment to the 2015 City of Edgerton Comprehensive Plan for 407 N Main Street passed on a 5/0 roll call vote.

Being no other business before the Plan Commission, a Chris Lund/Ron Webb motion to adjourn passed on a 7/0 roll call vote.

Being no other business before the Council, a Candy Davis/Robert Reynolds motion to adjourn passed on a 5/0 roll call vote.

Cindy Hegglund
City Clerk-Treasurer

Adopted: August 17, 2020