

**MARCH 31, 2021 PLAN COMMISSION MEETING MINUTES  
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:02 p.m.

Present: Christopher Lund, Jim Burdick, Anne Radtke (remote), Jim Kapellen, Julie Hagemann, Ron Webb, and Paul Davis (remote).

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

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, March 26th 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 Lindsey Zentko for approval of a conditional use permit to allow the construction of a second driveway onto Henderson Street for the parcel located at 111 Henderson St.

City Administrator Ramona Flanigan stated the petitioner proposes to construct a second driveway at her residence. The zoning ordinance requires a conditional use permit to allow the construction of a second driveway “if it is deemed necessary and feasible and will not cause undue impairment of safety, convenience and utility to the street”.

The parcel currently has a driveway with a steep slope. The petitioner wishes to construction the second driveway so she can park her work truck and trailer on her property. The driveway will also allow off street parking for her customers who occasionally pick up product from her home. The petitioner indicated she is not conducting business at her residents since customers are not purchasing items but simply picking up items.

Sue Hedding, 112 Blanchard St, stated her property is directly behind this property. She asked how far back will the driveway go and also if there is a restriction on the type or size of trucks allowed on a property.

City Administrator Ramona Flanigan stated the sketch is not the permit with actual dimensions. From the sketch it appears the driveway will go about halfway into the lot. As for the type and size of trucks, she stated there are not restrictions other than for refrigeration vehicles which generally have to stay running while parked.

Shawn Johnson, 107 Henderson St, stated he feels a second driveway is beneficial for properties. In this case there is a steep driveway and to try and pull a truck and trailer in would cause damage to either unit. He supports allowing the second driveway.

Judy Scharfenberg, 111 Blanchard St, asked if this is a home occupation? City Administrator Ramona Flanigan stated it is up for debate of the Plan Commission if this is considered a home occupation.

Petitioner Lindsey Zentko explained that she operates her business from the tool truck which she drives to mechanic shops. She does not want to run a business at her residence. There are a few occasions when a customer visits to pick an item up.

As for the trailer, Lindsey Zentko stated, it is for her personal use. If her tool truck would happen to break down, she would then use the trailer to travel to the businesses. Her steep driveway makes it very difficult to maneuver the 24' truck without damaging it.

The new driveway is not planned to be very long. She wishes to build a garage in the future that would be set along side the house. With that said, the garage would not go back to the end of her property. There has not been plans draw for any exact locations.

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

**CONSIDER CONDITIONAL USE PERMIT FOR 111 HENDERSON ST:** Jim Kapellen asked the petitioner if she is comfortable with a maximum driveway length of 55'. Lindsey Zentko stated she is ok with this as long as a garage does not block her side window view.

Anne Radtke stated staff is recommending denial of the conditional use permit. She asked City Administrator Ramona Flanigan to explain why. Flanigan stated the primary concern is that the petitioner is requesting this driveway for a business. The Plan Commission should consider if modifications to a residential property should be allow for a commercial use.

Paul Davis stated the driveway was widened a few years ago. He asked why this isn't sufficient? Lindsey Zentko stated it does work for her truck but it has to be at a certain angle. During the winter the driveway gets very icy and becomes very difficult to not damage something.

Anne Radtke and Paul Davis both stated they support the staff's recommendation.

Jim Burdick/Jim Kapellen moved to approve the conditional use permit for 111 Henderson St to allow a second driveway with the following conditions:

1. The new driveway must be paved within a year.
2. The driveway meets all setbacks.
3. If the petitioner has more than 3 customers picking up products in a month, if this address is used as the address for the business, or if any sales take place on the property as part of the business, the applicant must obtain a conditional use permit for a home occupation.
4. The second driveway is no longer than 55' from the property line.

The motion passed on a 5/2 roll call vote. Commissioners Anne Radtke and Paul Davis voted against the motion.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Northwoods LLC for approval of the following for the property located east of Dean St:

- A modification to an R-4/General Development Plan for a Planned Development to allow the construction of 10 duplexes (previously approved for 12 buildings); and

- A modification to a conditional use permit to change the location of eight duplexes and to increase the number of duplexes in the R-2 portion of the subdivision from eight to nine.

City Administrator Ramona Flanigan stated the Plan Commission granted a conditional use permit to allow eight duplexes in the One Tree Subdivision and approved the Planned Development General Development Plan in December. The petitioner seeks to change the location of the eight duplexes and increase the number to nine in the R-2 area; and to modify the GDP plan by constructing 10 duplex units as opposed to 12, 4-unit buildings.

Because there is a significant change to the GDP and the final approval step of the Precise Implementation Plan is to refine the details of the GDP, Flanigan felt the Plan Commission should review and reconsider the modified GDP.

At the second reading of the zoning change ordinance, the City Council changed the zoning of the GDP from R-4 to R-3. The Plan Commission's staff report indicates the zoning is R-4, this should be corrected to be R-3 zoning.

The new modified map has a discrepancy in the road widths from the original map that needs to be resolved.

City Administrator Ramona Flanigan stated the other highlights include:

- The storm water control for the Planned Development remains at the southern boundary of the plat;
- The location of the duplexes in the R-2 area are in new locations due to the new street configurations;
- The number of duplexes increase by one and remain on corner lots with driveways on different streets;
- Two of the duplex lots are located in the temporary stormwater pond so they cannot be constructed until the pond is replaced by a regional pond.

Anne Radtke asked where the mailboxes for the duplexes will be located on the private road. Ron Combs, Combs Associates and plat designer for the petitioner, stated that has not been determined. This type of development generally has a cluster mailbox instead of individual boxes. The developer must work with the Post Office when determining the box location.

Ron Combs stated the petitioner redesigned the GDP to have 10 upscale, 1800 sq ft, two car garage duplex/condo units. The units backing up to the golf course will have exposed basements and some of the others possibly having partial exposed basements. The reason for the change is the road configuration.

Ron Combs stated the street width was increased to 35' from curb-to-curb.

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

**CONSIDER MODIFICATIONS TO THE PLANNED DEVELOPMENT GDP AND THE CONDITIONAL USE PERMIT FOR THE PROPERTY EAST OF DEAN ST: Julie Hagemann**

asked if the duplex/condo units are being designed as upscale, why is a duplex being proposed across the street from them. The petitioner responded the R-2 duplex is on a corner lot and appear as a single family from the street side.

Anne Radtke stated she supports growth and development in Edgerton but is not in favor of private roads. Julie Hagemann agreed with not having a private street in this development because the private street runs from one public street to another.

Chris Lund/Ron Webb moved to approve the request for a modification to an R-3/General Development Plan for a Planned Development to allow the construction of 10 duplexes in lot 46 of One Tree Subdivision and for a modification to a conditional use permit to change the location of eight duplexes and to increase the number of duplexes in the R-2 portion of the subdivision from eight to nine for Northwoods Development subject to the following condition:

1. In accordance with the ordinance provisions of the Planned Development, the existing zoning of A-1 shall control development of the R-3 PUD area until the Precise Implementation Plan (PIP – the last step of the Planned Development Process) is approved, and if the PIP is not constructed within five years, the zoning will revert to A-1.

The motion passed on a 5/2 roll call vote. Anne Radtke and Julie Hagemann voted against the motion.

**MINUTES:** A Jim Kapellen/Ron Webb motion to approve the minutes from the March 16, 2021 Plan Commission meeting passed on a 7/0 roll call vote.

**PRELIMINARY CSM FOR PARCEL #6-26-999 (TERRACE COURT AND ELM HIGH DR):** Ron Webb/Jim Kapellen moved to approve the preliminary 3 lot CSM located at 406 Colonial Circle/Terrace Court/Elm High Drive subject to the following conditions:

1. The final CSM indicates all easements.
2. A note appears on the face of the CSM stating lot 1 has to be rezoned from A-1 prior to establishing a single-family structure.
3. The petitioner pays the \$20 platting fee for the two new lots.
4. The owner pays the parkland and park improvement impact fees in the amount of \$890.91 per housing unit at the time a building permit is issued.

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

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

Ramona Flanigan/ch  
City Administrator

Approved May 3, 2021