

**OCTOBER 29, 2020 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 connection), Paul Davis, Jim Kapellen, Julie Hagemann, and Ron Webb.

Others Present: City Administrator Ramona Flanigan and a few citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, October 23rd at the Post Office, Edgerton Library, and City Hall.

**MINUTES:** A Jim Kapellen/Ron Webb motion to approve the minutes from the September 14, 2020 Plan Commission meeting passed on a 7/0 roll call vote.

A Ron Webb/Jim Kapellen motion to approve the minutes from the October 7, 2020 Plan Commission meeting passed on a 7/0 roll call vote.

**DISCUSS ZONING TEXT AMENDMENTS:**

**Commercial Apartments:** City Administrator Flanigan presented the Commission with a draft ordinance amendment and asked the Commission to determine if the commercial apartments amendment should be set for a public hearing, be sent back for amendments, or not be considered.

The request was to allow apartments on the first floor in the downtown commercial (B-2) district in the rear of the buildings with a commercial use in the store front. The HMU District consists of undeveloped property so staff did not include it.

The draft ordinance allows residential units on the first floor with a conditional use permit. The following is a list of items to consider:

- How much of the ground floor can be used for the residential unit?
- How will the residential unit have ingress and egress; doorways; windows; effect on existing facade.
- Compliance with all applicable city codes and regulations.
- Parking: per unit or per bedroom.

Currently the upper level apartments must provide 1 off-street parking space for each bedroom.

Jim Kapellen asked if the first-floor apartment must be occupied by the business owner within the building. Flanigan stated there would be no way for the City to monitor that if required.

He asked if the City can require some type of window display for those commercial units that are vacant but have a first-floor apartment. This would make the store front more appealing. Flanigan stated currently the City has no provision for this. With a conditional use, the Plan Commission can make any requirements they wish. The other option is to make it a part of the ordinance. She

would have to research to find the proper placement to incorporate it into the ordinance.

Casey Langan, 212 Park Lane, stated he proposed the idea of allowing a residential unit on the first floor. With COVID 19 and small businesses struggling, he was looking for another source of income for the building owners.

He supports the conditional use permit. As for the amount of footprint allowed for residential, he would like to see this more than 50% depending on the commercial use. In addition, he would like to see a change for the number of parking spaces required. A three-bedroom unit may have one adult and two children and not need three parking spaces.

Flanigan stated it is up to the Plan Commission. If the goal is to preserve the buildings then these requirements may not be needed. She has heard from building owners that the upper unit apartments make the building cash flow so they are fine with leaving the store front vacant.

Chris Lund noted some of the buildings have a pretty good size footprint and may be able to have more than one apartment. He asked if the Commission wants that.

The balance for commercial and residential public parking was discussed. The Commission members would like to allow the parking spaces part of the conditional use decision instead of an ordinance requirement.

Jim Kapellen requested verbiage to address the window display, in the event the commercial unit is empty, as part of the conditional use. Others questioned how it would be regulated and who determines what it should be. Casey Langan noted the window display could be rented out for advertising too. Staff will draft language requesting, but not mandated, that the front window has a display and bring it back for review.

Casey Langan suggested instead of a percentage of the footprint being allowed for the residential, using a square footage or distance away from the front entrance. The Commission supported this idea but staff will need to research what distance is reasonable.

The Commission requested another draft of this ordinance come back before a public hearing.

**Potbelly Pigs:** Flanigan provided the Commission with some policy questions to address if they wish to allow potbelly or mini pigs. Each item will be addressed by the Commission.

How many Mini Pigs will be allowed per property? And do pigs count as 1 of 4 maximum pets allowed? (The maximum number of pets allowed is located in another chapter of the ordinance.)

Veronica Ellingworth, 204 Hubert St, made the request to allow potbelly pigs. She stated she has read through the draft ordinance and agrees to the majority of it. The one thing she would like to see is allowing for two pigs because they are social in nature. To limit the number to only one is not in the best interest of the pig or its owner.

The other item Veronica Ellingworth requested be changed is the size of the pig. She provided pictures of pigs in comparison to dog breeds. A 100-150 lb. pig is about the size of a beagle. The average weight is between 60 – 150 lbs. In addition, when someone adopts a piglet, there is no way to tell how large it may be when grown. To restrict a pig's weight can cause malnutrition.

Veronica Ellingworth stated she feels an enclosed area should be required. Whether it is a fence or enclosure it should be mostly solid. She feels it would be difficult to have pigs in apartments due to the need for them to be outside.

Paul Davis asked if there is a “potbelly” breed of pig that are considered pets. Veronica Ellingworth stated there is and she believes the potbelly pig comes from Vietnam. They are distinguishable from farm pigs. Paul Davis asked how does someone distinguish between the two. Veronica Ellingworth stated by the size.

Chris Lund stated he feels only single-family structures are allowed to have pigs. If it is a condo consisting of two attached units, they would not be allowed. Paul Davis noted that most individually owned condos are typically governed by an association. He believes it would be up to that body to regulate if a pig is allowed.

Flanigan stated the ordinance regulating chickens establishes a minimum outside area. She followed this same provision for pigs. Veronica Ellingworth noted pigs do need an outside space for their welfare. She added pigs squeal just like dogs bark so there is a similarity there also.

Anne Radtke stated she feels these pigs are not mini and 175 lbs. animal is a lot to handle. She is not in favor of allowing them within the City limits.

Chris Lund asked if there is anyone else that feels pigs should not be allowed or should the Commission continue discussing policy items. Members indicated they wish to continue.

The remaining Commission members agreed that pigs be restricted to single family structures only with a lot that has a yard. Fencing should be required with a height of at least 32” tall and adequately grounded to hold the pig in the enclosure. Other than for walking, leashing a pig outside is not allowed.

The Commission agreed that pigs be allowed as a special use in the residential districts only. The maximum weight was set at 150 lbs. The number of pigs allowed be two and it would be included in the maximum number of pets allowed.

The Commission requested a new draft ordinance come back to them for review before a public hearing is scheduled.

**Bee Keeping:** Flanigan stated bee keeping has been requested to be allowed in residential districts. Currently they are allowed in agricultural, manufacturing and B-4 districts. She used City of Madison's ordinance to draft an ordinance for review. The graphic used in the Madison ordinance is attached.

Jim Burdick stated he supports bee keeping but questions them in his neighbor's yard. He noted if the Commission is in favor of it, he will go along with it also.

Jim Kapellen recommended the requirement of a permit so the City will know where the hives are located. The other Commission members agreed. They also agreed that this use be allowed as a special use in all districts.

The Commission discussed the distance between the hive and property line. They agreed that a hive be no closer than 10' from a property line that has a different owner.

A revised draft ordinance will come back to the Commission for review before a public hearing is set.

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

Ramona Flanigan/ch  
City Administrator

Approved  
December 2, 2020