

Minutes of Plan Commission Meeting November 15, 2022

Call to Order – Mayor Nelson called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Mayor Nelson, Phil Wedekind, Roy Franzen, Jim O’Neill, Tom Kolb, Barry Hartup, and Matthew Boegner.

Also in attendance were Tom Pinion, Max Dvorak, Bjorn Kaashagen, Hans Wilkes, Mark Crowley, Matt Muchow, Dan Goff and David Wall.

Call to Order

- a. Note compliance with the Open Meeting Law. Mayor Nelson noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by O’Neill, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Wedekind, seconded by Kolb to approve the minutes of both the September 20th and October 18th meetings. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

New Business

- a. Request to Rezone Lot 1 of Sauk County Certified Survey Map No. 7223, a 2.98-acre Lot on the northwest corner of Taft Ave (CTH T) and 12th Street from A-1, Agricultural Transition to B-3, Highway Oriented Business for new Fire/EMS Facility – Station #2, by the City of Baraboo – Pinion explained that the City recently acquired this property and has requested that it be rezoned to a B-3, Highway-Oriented Business classification. It was moved by Wedekind, seconded by Kolb to forward this matter to the City Council to hold the requisite Public Hearing with a recommendation to approve. On roll call vote for the motion, Ayes – Wedekind, Franzen, O’Neill, Kolb, Hartup, Boegner, and Nelson; Nay – 0. Motion carried 7-0.
- b. Review the Specific Implementation Plan (SIP) in accordance with Step 4 of the Planned Development rezoning process for KMD Development LLC’s proposed Baraboo Bluffs Condominium project, consisting of a mix of thirty three 2- and 3- unit buildings totaling 85 units on Lot 1 of Sauk County Certified Survey Map No. 7231, an 18.4-acre site on the east side of Waldo Street between Parkside Avenue and Hager Street – Pinion explained that the Commission reviewed the General Development Plan (GDP) two months ago and that the City Council had unanimously approved the first reading of that rezoning Ordinance. The Commission specifically requested the developers provide colored renderings and samples of the building materials they intend to use, which they have done. Matt Muchow, representing KMD Development LLC, explained that the SIP has been modified slightly from what was proposed with the GDP two months ago. The SIP for Phase 1 of Baraboo Bluffs Condominium includes six buildings, three 3-unit buildings and three two-unit buildings for a total of 15 units. The SIP was also modified to include so a variety of sustainable building practices and it was explained that each unit would be wired for an EV Charging Station so an owner could easily add that if so desired. And the SIP includes the Traffic Study that the developer commissioned showing that even at full buildout of this development as well as full buildout of the remaining vacant property in the Spruce Haven development, the intersection of Waldo St and South Blvd will function at a Level of C or better. The colored renderings currently show white for all of the overhead garage doors but it was explained that these would likely be changed to a beige or tan color to better complement the color scheme of the condominium units. Matt also explained that the Phase 1 Condominium Plat, which is the subject of the next agenda item, is also included in the SIP along with the corresponding Declaration of Condominium document. Nelson question Section 7.4 of the Declaration and requested a clarification pertaining to refuse and recycling collection. The document states they will both be collected by the City of Baraboo but he recalls that it was previously explained it would be collected by a private contractor. Nelson also inquired about the prohibition on clotheslines on the property and the developers explained that was probably part of the “template” document their attorney used and that it would be removed as they have no particular objection to outdoor clotheslines. Pinion pointed out that Section 20.3 states that there could be as many as 75 additional units in future phases (up to 90 total units) of this development but the GDP provides for 85 units. If and/or when the total number of units exceed 85, the GDP would need to be amended. The Commission complemented the developer on their SIP submittal stating that it was very thorough and complete - the best they have seen to date. It was moved by Wedekind, seconded by Kolb to forward this matter to the Common Council for the requisite public hearing

with a recommendation to approve the Specific Implementation Plan for Phase 1 of the Baraboo Bluffs Condominium. On roll call vote for the motion, Ayes – O’Neill, Kolb, Hartup, Boegner, Nelson, Wedekind, and Franzen. Nay – 0, motion carried 7-0.

- c. Review and approve Baraboo Bluffs Condominium Plat, Phase 1 for Baraboo Bluffs Condominium Project (Appendix E of the Baraboo Bluffs Condominium SIP), being a part of Certified Survey Map No. 7231, located in the S ½ of Section 2, T11N, R6E, City of Baraboo, Sauk County, Wisconsin. – This document was also included in the SIP submittal and was covered as part of the previous agenda. It was moved by Wedekind moved and seconded by Franzen to approve the Baraboo Bluffs Condominium Plat, Phase 1, as presented. On roll call vote for the motion, Ayes – Franzen, O’Neill, Kolb, Hartup, Boegner, Nelson, and Wedekind; Nay – 0. Motion carried 7-0.

- d. Review a conceptual development plan in accordance with Step 2 of the Planned Development rezoning process to repurpose the property at 1301 Lake Street for use as a church, by Freedom in Christ Church – David Wall, representing the Cross of Christ Church, explained that his congregation has out ground it current building at 409 4th Street and is looking for a new location. They currently have 225 active members and anticipate future growth to upwards of 300 members. Since it seems to be increasingly difficult to site churches in residential neighborhoods, they are interested in relocating to the existing buildings at 1301 Lake Street, formerly occupied by Glenville Timberwrights, but would first like to determine the likelihood of rezoning the property in some manner to allow its use as a church before they commit to buying the property. They understand the proposed use would likely require State-Approved plans since the use as a church would constitutes a change in use pursuant to the State’s commercial building code – the 2015 version of the International Building Code. They have hired General Engineering Company to do a complete code review and provide a description and corresponding cost estimate for any necessary remodeling or other building modifications. Dan Goff, the current owner of this property, inquired about the timeline for the prospective rezoning. Pinion explained the schedule is typically dictated by either the current owner or the prospective buyer, provided they have a bona fide ownership interest, like an accepted Offer to Purchase for example. There are a couple of options to modify or change the zoning of this particular property since it’s located in an I-3 Industrial zoning district, it’s across the street from an R-1A Single-Family Residential zoning district, and it also a part of the Devil’s Lake Business Park with a set of Restrictive Covenants that also address certain used as either permitted or prohibited, but affords similar uses, not specifically included in the permitted or prohibited uses, to be regulated as a Conditional Use. A rezoning request typically takes 60 to 90 days from start to finish, depending on the timing of the request. A PUD zoning could take a bit longer since preparing the GDP & SIP typically require some additional time. Since this is only a concept review, it’s an opportunity for the Commission to provide informal, non-binding feedback to the applicant. Generally speaking, the Commission was not uncomfortable with the proposed use but they had some apprehension about removing a fully improvement property from the tax roll. It seemed they generally favored a PUD zoning more than the other available options.

Adjournment - It was moved by Kolb, seconded by Franzen to adjourn at 6:05 p.m. Motion carried unanimously.

Rob Nelson, Mayor