

MINUTES OF THE PLAN COMMISSION MEETING – FEBRUARY 8, 2010

Call to Order

Plan Commission meeting was called to order at 6:00 p.m. by Village President Charles Fischer

Roll Call

PRESENT: President Fischer

John Elrick

Bill Peerenboom

Richard Schevers (6:04)

Roy Van Gheem

EXCUSED: Jerry Verstegen

Bill Van Berkel

ALSO PRESENT: Community Development Director Jim Moes

Village Administrator Chuck Kell

Village Clerk Vicki Schneider

Public Appearance for Items Not on the Agenda

None

Moved by Commissioner Van Gheem, seconded by Commissioner Peerenboom to Enter into the Public Hearing for a Variance Request for 221 Mill Street-Down the Hill Bar.

All Ayes - Motion Carried

Public Hearing – Variance Request – 221 Mill Street – Down the Hill Bar

J. Moes stated the owner of the Down the Hill Bar would like to expand the size of the bar and the expansion would require the property to have 17 total off-street parking space and the applicant is requesting a variance to allow for only 15 off-street parking places. Commissioner Van Gheem questioned whether this was the final site plan because it was not in compliance with the Village ordinance regarding parking on the right-of-way.

J. Moes replied that this was the site plan the property owners gave him and the larger site plan made available to Commissioners showed the parking stalls off the right-of-way. Commissioner Van Gheem commented that the stalls could be moved closer to the building and this would take them out of the Village right of way.

Commissioner Van Gheem questioned Greg Manteuffel, owner of Down the Hill Bar, about where snow from the parking stalls is placed. Mr. Manteuffel replied the snow is pushed across the street and he did not have permission to put snow on the Locks Authority property. Commissioner Van Gheem made Mr. Manteuffel aware that it is illegal in the Village to push snow across the road. Scott Landwehr, 303 Monroe St. commented about his concern with traffic flow in the area once Island Park was open and parking at the intersection.

Mr. Landwehr also commented on turning a residential area into a commercial district and further stated he doesn't have a problem with the bar expanding but his concern is with creating more parking places and more traffic. Mr. Manteuffel stated the main reason for expanding the bar is to add a pool table and he doesn't expect allowing room for a few more people will cause a great increase in traffic. J. Moes noted that the Mill Street property was rezoned to Central Business District approximately a year ago. Jamie Denil, 309 Monroe Street, stated the neighborhood already deals with a fair amount of traffic.

Moved by Commissioner Elrick, seconded by Commissioner Schevers to Exit the Public Hearing for a Variance Request for 221 Mill Street-Down the Hill Bar.

All Ayes – Motion Carried

Approval of Plan Commission Meeting Minutes – January 11, 2010

Moved by Commissioner Peerenboom, seconded by Commissioner Schevers to approve the minutes of January 11, 2010 as presented.

All Ayes - Motion Carried

Possible Action on Variance Request -221 Mill Street - Down the Hill Bar

J. Moes recommended approval of the Variance Request subject to a site plan that is approved by the owner and the Village's Public Works Dept. prior to permits being issued. Commissioner Elrick questioned why we wouldn't require 17 parking stalls. J. Moes stated it would not be possible to get all 17 stalls on the site with the topography of the parcel. Commissioner Peerenboom questioned if the expansion of the business was causing the shortage of parking stalls. J. Moes stated the additional parking is being required because of the expansion. J. Moes commented the property was previously rezoned so the upstairs apartments could be rearranged.

Mr. Manteuffel commented that he was trying to make the building more appealing and that is the reason for the expansion.

J. Moes confirmed that the final site plan would be reviewed by the site plan review committee.

Moved by Commissioner Peerenboom, seconded by Commissioner Elrick to deny the Variance Request for 221 Mill Street – Down the Hill Bar due to the fact that the increase in the building size requires more parking and that not having the increased parking available will lead to more on street parking and it will increase the snow removal problems they have.

Further Discussion: Commissioner Peerenboom asked whether the remodeling could be done on a smaller scope, to eliminate the problems with parking and snow removal. J. Moes stated that if they reduce the area of the remodeling they could reduce some of the need for parking. Mr. Manteuffel explained he could cut down the renovation by 200 sq. ft., but that would eliminate the room for the pool table which is the whole idea for doing the remodeling.

Vote on the Motion: Ayes 3, Nay 2 (Fischer, Van Gheem) – Motion Carried

Review/Recommendation - Street Vacation – Portion of W. Lincoln Avenue

J. Moes stated it was the Commission's duty to review, report, and make recommendations on the street vacation to the Village Board. Ned Schommer, 411 W. Lincoln Ave, asked if the development would include access on and off Madison St and he felt Village was "back pedaling" by closing W. Lincoln Ave. for safety purposes and then put up a multi-family living area that allows access on and off Madison St. and he doesn't see how this is moving ahead. C. Kell commented that there was an existing driveway that accesses Madison St. and yes there would be access to Madison St. C. Kell commented he felt the bigger problem would be the property is now Central Business District and based on the set back restrictions the property cannot be effectively developed and still maintain good site visibility from the intersection of Lincoln Ave. and Madison St. C. Kell commented the petition to close the portion of W. Lincoln Ave. was the Village Board's decision. Mr. Schommer questioned why W. Lincoln Ave. would be closed now instead of waiting until the property is developed and how can safety be improved if a structure goes up and includes a driveway with access onto Madison St. for multi-family living. Mr. Schommer stated that because there isn't an official plan for development, they are asking to have the public hearing on the street vacation withheld until there is a plan for a building, as the number one item is safety. C. Kell clarified that the access is further north on Madison St. and has nothing to do with Lincoln Ave. and the Village Board has decided they were going to propose closing the street regardless if a project even develops on the corner. Commissioner Peerenboom commented that he was not aware that the Board had taken this action as the Plan approved by the Commission included keeping the street open. Commissioner Elrick commented that at the public hearings everything that was said had to do with safety of the street. J. Moes stated because of concerns from neighbors the site plan went back for modifications but it had nothing to do with the rezoning which is what the Village Board had acted on. Commissioner Peerenboom stated he was shocked that the Plan Commission has not been kept informed of the

stated that property would have to be acquired before the new street would go in and that would have to happen before the street would be vacated. Tammy Frassetto, 408 W. Lincoln Avenue, stated that as it stands there are not safety issues if the project doesn't go through. Commissioner Van Gheem responded commenting that was opposite from what he heard at the public hearings and the other meetings that there were always safety issues. Commissioner Van Gheem commented that the worst thing that could happen is that things remain the same and the best case scenario is that things improve and there is still control of site development.

Moved by Commissioner Van Gheem, seconded by Commissioner Elrick to recommend to the Village Board in favor of the vacation of a portion of W. Lincoln Avenue.

Further Discussion: Mr. Schommer commented on the process of the public hearing already being scheduled before the Village Board on March 3 and how can that be planned without it coming to the Plan Commission first. Mr. Schommer also provided further comments on the safety issues not being improved if a development is put on the corner. J. Moes explained the procedure that the Village Board was required by statute to set the Public Hearing and the Plan Commission is to review and make a recommendation to the Board. Dan Mahlik, 329 W. Lincoln Avenue, commented that the safety issues came from the setbacks for the development and he doesn't believe it is a safety issue at this time. Commissioner Elrick commented W. Lincoln Ave. would have to be vacated for the property to be marketable whether Mr. Van Dyn Hoven's plan is approved or if another development goes in. Mr. Schommer asked if it would be fiscally responsible to build a new street out to Main St. before a development is approved. C. Kell commented that a road out to Main St. would cost between \$90,000 to \$100,000 for actual street cost not counting purchasing land. Dan Mahlik asked what the advantage is of putting in a road to Main St. that costs the Village \$400,000 and asked how the people of the Village will benefit financially from the development. Staff explained the finance scenario and stated the issue doesn't have to do with the street vacation. C. Kell commented the whole issue of financing for a new street will have to be addressed. Molly Houlihan asked if the Village shouldn't be obtaining property for a new street first before looking at vacating the street. Mr. Schommer commented that the neighbors had been in support of the street vacation based on the last design for the development but that plan has disappeared so as a neighborhood they are retracting their support of the street vacation because they don't know what is going to be built. Jim Martin, 326 W. Lincoln, commented that back in December the Board stated the road wouldn't be closed until the building is a go. President Fischer and Commissioner Elrick stated that was not the motion they recall being made. J. Moes stated that no one could do a plan for a development if they don't know if the street is going to be vacated so that has to be figured out first. Jim Hietpas, 403 W. Lincoln, stated that Mr. Van Gheem was correct that the first plan brought forward had the road closed but that plan was rejected by the Commission and why would the Village spend money when the developer hasn't supplied any costs for the project. C. Kell reiterated that the Village isn't spending any money at this time on the road, on the development, or on the idea for a neighborhood park and this step just keeps the project moving and the Board will have to make all of these future decisions. Denny LaBarre, 405 W. Lincoln, commented that they talked with the neighbors to persuade them to have the road go to Main Street and vacate Lincoln Ave. and they also proposed the idea of park and they would commit on behalf of the Van Hoof family to help the Village secure a park at the end of the street and if they need money for the park to let them know. He also asked the Commission to reject the street vacation.

Vote on the Motion:

Ayes 4, Nay 1 (Peerenboom) – Motion Carried

Review/Recommendation – CSM- Rom-Virg Corporation- 3100 N. French Rd.

J. Moes stated the owners of the property would like to sell Lot #1 and it meets the minimum requirements for lot size so staff is recommending that the Commission recommend to the Village Board approval of the CSM.

Moved by Commissioner Elrick seconded, by Commissioner Peerenboom to recommend to the Village Board the Approval of the CSM – Rom – Virg Corporation-3100 N. French Rd.

All Ayes – Motion Carried

Review/Recommendation -CSM- Zero Lot Line - Meadow View Lane - Dan Locy

J. Moes stated staff is recommending that the Commission recommend to the Village Board approval of the CSM- Zero Lot Line – Meadow View Lane.

Moved by Commissioner Peerenboom seconded, by Commissioner Schevers to recommend to the Village Board Approval of CSM for Dan Locy for a Zero Lot Line for the property at Meadow View Lane.

Further Discussion: Commissioner Peerenboom asked if the Commission would entertain the idea of having staff approve the CSMs. Staff stated the approval process could go through staff and the Village Board without going to the Plan Commission and that option can be further discussed.

Vote on the Motion: All Ayes- Motion Carried

Unfinished Business

None

Items for Future Agenda

None

Adjournment

Moved by Commissioner Elrick, seconded by Commissioner Schevers to adjourn the Plan Commission meeting at 7:10 p.m.

All Ayes – Motion Carried

VILLAGE OF LITTLE CHUTE

By: Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk