



VILLAGE OF KIMBERLY

Plan Commission

Minutes

Tuesday, October 15, 2019

Chairman Kuen called the meeting to order at 6 pm. Commissioners present were Trustee Mike Hruzek, Dean Schiesl, Norb Karner, Todd Schneider, Wendy Vander Zanden, and Duane Biese. Also in attendance: Brad Werner, Village Engineer; Paul Driessen, Isiah Driessen, Jordan Driessen, Tom Juza, Dave Chrouser, Tom Snyder.

Motion by Karner, second by Vander Zanden to approve the minutes of the September 17, 2019 Plan Commission meeting. Approved unanimously.

Item 3. Chairman Kuen introduced item 3, a Conditional Use Permit request to operate a contractor office and shop at 110 E Kimberly Ave., housing cabinetry and wood working operations. There was discussion of the operations to be conducted at this location including confirmation there will be no finishing operations at this property.

Motion by Karner, second by Vander Zanden to recommend approval of the CUP as presented on the draft Conditional Use Permit. Approved unanimously.

Item 4. Chairman Kuen introduced item 4, a Conditional Use Permit request to operate a contractor office and shop, at 100 S. Birch Ave., housing finishing, post assembly, and business storage operations. Discussion ensued regarding the finishing operations, type of equipment being used, exhaust stacks, and types of finish materials. Mr. Driessen explained the industry continues to migrate to water based products vs. VOC products. The commission inquired of the frequency of the finish operations, especially those finishes which may have been the source of past complaints. Mr. Driessen advised finishing operations are subject to ebbs and flows pending present workloads, types of products being fabricated, types of finishes. Sometimes there will be weeks where there will be work without using finishes that may have drawn complaints in the past. The commission advised Mr. Driessen there is a real concern about odors and advised a CUP can be revoked if the activity is found to be resulting in complaints or is found to be nuisance. Mr. Driessen acknowledged he understood this concern and condition.

Motion by Schiesl, second by Karner to recommend approval of the CUP as presented on the draft Conditional Use Permit. Approved unanimously.

Item 5. Chairman Kuen introduced item 5, a Planned Unit Development proposed on Lot 43, Rivers Edge Subdivision. The commissioners discussed the request for reduced setbacks. Staff explained the PUD review gives the Plan Commission and Village Board the ability to give consideration to standards which deviate for standards found elsewhere in the zoning ordinance. Staff offered the reduced setbacks in Papermill Estates as an example. Staff also offered the proposed development is in-step with the number of units on the conceptual plan developed by the Village when platting the subdivision. Mr. Juza offered the proposal has one less unit and the dwelling footprints of his proposal are larger than the conceptual plan. Mr. Chrouser offered the proposed U-shaped drive will promote better traffic flow and improve snow removal abilities. The commission inquired if buyers of the abutting single family lots

would be advised of the PUD reduced setbacks. Mr. Juza explained they would, and that real estate law requires such information to be disclosed.

Motion by Karner, second by Schiesl to approve as recommended and conditioned in the staff report. Motion passed unanimously.

Item 6. Chairman Kuen introduced item 5, a Planned Unit Development proposed on Lot 27, Rivers Edge Subdivision. Discussion on this item was interwoven with item 5. Staff pointed out the Y-turn area for large vehicle and emergency response vehicles. Mr. Juza explained how the landscaping berms will be installed to maintain compliance with the storm drainage plan for the surrounding parcels.

Motion by Karner, second by Vander Zanden to approve as recommended and conditioned in the staff report. Motion passed unanimously.

Item 7. Following the PUD agenda items, it was explained lots 27 and 43 would need to be rezoned to R5-Planned Residential District.

Motion by Karner, second by Vander Zanden to recommend re-zoning parcels 250093927 and 250093943 from R1-Residential Low Density to R5-Planned Residential District. Motion passed unanimously.

Item 8. Chairman Kuen introduced item 8, recommending to zone two parcels on Marcella St. as I1- Industrial Unlimited. It was explained the owner has petitioned to have the property annexed by the Village of Kimberly because he needs water and sewer for a proposed development. Staff explained that in working with the owner, the owner agreed to pave the area around the new development, as well as implement improved storm water retention and drainage to redirect surface water to acceptable locations.

Motion by Karner, second by Hruzek to recommend zoning these parcels I1-Industrial Limited when annexed. Motion passed unanimously.

Item 9. Chairman Kuen introduced item 9, proposing to amend Ordinance No. 525-10 G. Decks and Porches, to clean up the section applying to decks. Staff offered the amendment to ensure setbacks are applicable to patios as well, and indicated it is desirable to have the amendment in effect prior to any new homes in Rivers Edge constructing patios.

Motion by Vander Zanden, second by Biese to recommend approval of the proposed amendment. Motion passed unanimously.

Item 10. Existing Business. None.

Item 11. New Business. None

Item 12. Adjournment. Motion by Karner, second by Schiesl. Passed unanimously at 6:31 pm.

Respectfully submitted;

Allyn Dannhoff
Director of Operations