Agenda Item Number ____6____

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Director of Planning and Community Development

Re: ACTION RE: PETITIONS RECEIVED BY MACH IV ENGINEERING AND SURVEYING FOR A PARKING LOT ADDITION LOCATED AT 3110 STANTON COURT, PARCEL AL-1211-A-600
a. Zoning Map Amendment
b. Site Plan Review
b. c. Design Exception Request

Date: 28 February 2025

Background:
Petitions have been received from Mach IV Engineering and Surveying (on behalf of the owners of Riverside Animal Hospital), requesting a *Zoning Map Amendment, Site Plan Review, and Design Exception Request* for a parking lot addition located at 3110 Stanton Court (Parcel AL-1211-A-600). These requests are being made as a part of the same proposed development.

A. *Zoning Map Amendment* (§ 475-1103) are legislative decisions of the Village Board based on consistency with the Comprehensive Plan and promotion of the public health, safety, and general welfare. The Plan Commission provides a recommendation to the Village Board. The Village Board makes the final determination.
B. *Site Plan Review* (§ 475-1106) is a process that requires Plan Commission review and Village Board approval and determines whether proposed plans comply with applicable regulations of the Village.
C. *Design Exception Request* (§ 475-1107) may grant relief from strict compliance with the regulations when specific site features or characteristics create conditions that make strict compliance with applicable regulations impractical or undesirable. The Plan Commission provides a recommendation to the Village Board. The Village Board makes the final determination.

Parcel AL-1211-A-600 is a 0.7-acre site. It was a part of the Kane & Plous Subdivision. A tennis court, small athletic field, and field house were constructed by a previous property owner. The previous property owners have allowed neighbors to use these privately owned and maintained facilities over the years. A large berm was constructed along the south and west perimeters of the property at some point to screen the neighborhood from Riverside Drive traffic and the neighboring commercial use. The property is currently zoned “R1-75” (Singl-Dwelling Detached).

The veterinary clinic to the south of the subject property has grown in staff and patient size, which has caused a need for additional parking. The veterinary property meets village parking requirements, but the private demand is causing staff to park on the adjacent Stanton Court. The veterinary property is zoned “GX” (Neighborhood Office-Residential Mix). The owner of the veterinary property recently purchased the subject property with plans for additional parking.

The proposed development project is seeking to grow the parking lot footprint. Currently, there is one drive aisle, one row of parallel parking stalls and one row of perpendicular parking stalls. The proposal is to add approximately 100 feet of frontage to parcel AL-125-1 (veterinary parcel) from parcel AL-1211-A-600 (vacant parcel). This additional frontage would allow space to grow the parking footprint to four rows of perpendicular parking stalls and two drive aisles. The only egress for the parking lot would remain off Riverside Drive. No egress is being proposed for Stanton Court. The remaining portion of Parcel AL-1211-A-600 would remain private greenspace for now, with the possibility of developing a single-family home on the parcel in the future.

The petitioner is seeking to make the proposed parcel boundary changes through a CSM (Certified Survey Map) – approved through Brown County. The portion of Parcel AL-1211-A-600 and remnant parcel AL-1211-A-652 being proposed for parking would need to have the zoning changed to “GX.” The northern 100’ wide part of the property would remain “R1-75” – see yellow shaded area in attached plans.

Previous proposal and action:
A previous proposal came before the Plan Commission and Village Board in late summer 2024. The previous proposal included a future pedestrian connection from the cul-du-sac to Riverside Drive, a turn-around in the parking lot, additional parking stalls, and no berm. The Plan Commission recommended approval of the proposal, with the request to remove the turn-around, but was not approved by the Village Board.

The current proposal removes the turn-around in the parking lot, adds a 3' berm and additional coniferous trees for enhanced screening, removes the pedestrian connection to make room for the berm, reduces the total number of proposed parking stalls, and addresses lighting concerns.

The site plan proposal was not approved, and no action was taken on the zoning request. This proposal is allowed to be reconsidered because the changes listed above alter the site plan substantially through change in internal traffic flow and enhanced screening.

Staff review & recommendation:

- *Zoning Map Amendment*:
  - Approximately 100 feet of the 229 feet of frontage on Parcel AL-1211-A-600 and all of remnant parcel AL-1211-A-652 is being proposed for parking and would need to have the zoning changed to "GX."

  The Comprehensive Plan does not specifically mention this property, but the area for proposed parking has many easements, which make development of the area for anything other than greenspace or parking prohibitive. Neither the Comprehensive Plan nor the Comprehensive Outdoor Recreation Plan have plans for a park or public use of this parcel. **Staff recommends approving the zoning map amendment contingent on an approved CSM (Certified Survey Map) from Brown County Planning and Land Services, creating a newly defined AL-125-1 as defined above, and contingent on an approved site plan. Plan Commission reviewed the proposal and recommended approval at the January 27, 2025 meeting with the above conditions.**

- *Site Plan Review*:
  - Zoning regulations prohibit a parcel zoned "R1-75" from being used for commercial parking. The zoning would need to be changed to "GX."
  - Zoning regulations only permit one drive aisle and two rows of perpendicular side-yard parking on a lot zoned "GX."
  - An eight-foot fence or six-foot wall should be constructed for screening purposes where a commercial use meets a low-density residential use – a 3' berm and 5' trees are being proposed as a substitute to this requirement.
  - Driveway dimensions and specifications should be provided.
  - Any additional zoning, building, and stormwater requirements should be met.

  The Comprehensive Plan does not specifically mention this property. The proposal will eliminate the need for staff of the veterinary clinic to use on-street parking. The area for proposed parking has many easements, which make development of the area for anything other than greenspace or parking prohibitive. This development proposal meets the goals of the Comprehensive Plan by encouraging a mix of low-impact businesses and mixed-use neighborhoods. **Staff recommends approval of the Site Plan Review contingent on the above items being addressed – either through strict compliance or through approval of the necessary design exceptions. Plan Commission reviewed the proposal and recommended approval at the January 27, 2025 meeting with the above conditions.**

- *Design Exception*:
  - The proposed development project is seeking to grow the parking lot footprint. Currently, there is one drive aisle, one row of parallel parking stalls and one row of perpendicular parking stalls. The proposed new footprint would be to grow to four rows of perpendicular parking stalls and two drive aisles.
  - A 3' berm and year-round screening is being proposed in lieu of a fence or wall because of the easement restrictions in place for the below grade public infrastructure. The vegetation should be continuous. The screening should be immediate at the time of planting as well and contain a variety of species (no more than 10 trees of the same species).

  The Comprehensive Plan does not specifically mention this property, but the area for proposed parking has many easements, which make development of the area for anything other than greenspace or parking prohibitive. Neither the Comprehensive Plan nor the Comprehensive Outdoor Recreation Plan have plans for a park or public use of this parcel. **Staff recommends approving the additional parking space contingent on the CSM being approved and the zoning of the parking being changed to "GX." Staff recommends approving the design exception to the screening requirements over the easement areas because a fence or wall cannot be constructed over the easements. Plan Commission reviewed the proposal and recommended approval at the January 27, 2025 meeting with the above conditions.**

Requested action:
These requests are being made as a part of the same proposed development and can be discussed together. However, a separate motion should be made for each item in the order they appear on the agenda. **The Village Board is asked to review the above petition requests and approve with the above conditions.** The Village Board can also table or send back to the Plan Commission for more information. If the motion is to deny, approve with conditions, or table the decision, reasoning should be provided in the motion. The Village Board cannot table the decision for more than 60 days.

*A protest petition was filed with the Office of the Clerk on February 27, 2025 by three neighbors in the area. If this protest petition complies with the standards in village ordinances, then the zoning amendment would need three-fourths majority (6 of 7 voting members) to pass. More information will be made available at the meeting.