

**City of Eau Claire  
Plan Commission Minutes  
Meeting of January 2, 2018**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Brenholt, Granlund, Klinkhammer, Larsen, Pederson, Radabaugh, Seymour; Ms. Ebert and Ms. Mitchell

Staff Present: Messrs. Tufte, Genskow, Noel; Ms. Basom

The meeting was chaired by Ms. Ebert.

1. **REZONING (Z-1616-17) – R-1 to R-1P**

**PRELIMINARY CONDOMINIUM PLAT (P-10-17) Westover Woods Condominium**

Mr. Tufte presented a request to rezone property from R-1 to R-1P, to adopt the general development plan for a private drive and reduced lot size and setbacks and to approve the preliminary condo plat. The 15 lots for single family homes would be on 3.6 acres. This density of 4.2 acres per unit is under the R-1 standard. Front setbacks are requested to be reduced from 30 to 20 feet with also five lots under the R-1 size standards. The existing unrecorded final plat shows a public cul-de-sac and meets R-1 regulations. This new proposal shows a 24-foot wide private drive inside a 30-foot easement. No sidewalks are proposed and this does not meet code. Private drives shall not be a substitute for the normal public street requirement. In this case, the previous plat shows that a public road is possible and thus a private drive is not justified. The concern with private drives is ongoing maintenance, parking and service access issues. Reduced front yards and lot sizes need to offer other accommodations such as greater common greenspace, which none is proposed.

Mark Erickson with Kramer Land Design Studio stated the project is suitable for the site. There is a nearby single family condo plat at Lowes Creek Village that is similar to this concept. The front yards are less but the reduction is not unheard of. Further, a condo plat on Concord Way has a 30-foot street corridor and a 70-foot face-to-face distance from homes. The example of Clear Water Ridge shows that there can be no parking along a private drive. There will be four stalls to allow for parking on lots. Homes will be custom but will have guidance in the bylaws so there will be good variety. The homes will be similar in size with the homes abutting and the condo association will maintain high quality. The average in lot area is 9,100 square feet. Utilities will be stubbed for future annexed property. They are meeting the project density and providing another market option in the community. There will be plenty of green space and buffering along the edges. The City will not need to maintain the infrastructure and the condo dues and fees will take care of the drive.

John Panzigrau, 3718 Gold Ridge Road, stated the market supply for condos is at an all-time low. There are only nine right now and eight are under \$200,000. This project would be similar to the Tamarack Village across State Street. The minimum size is around 1,600 square feet for these units and they will be offered at different price points. The smaller lots will still have room after the size of the house. The houses may have greater front yard setbacks depending on the type of home built. Parking ultimately would happen on the drive but only under rare situations. He would be willing to make a small lot into a common space for parking and add more space to smaller lots if a conditional use permit was granted. He stated a public road option would not allow the ability for the density he is seeking.

Angela Axelrod, 3391 Evergreen Lane, stated they filed an opposition petition of 49 property owners in the area. The plat is much too dense for the project site and the previous final plat was more consistent with the density within the area. She said it should fit the city's growth management plan and this project does not. It also would cut down most of the wooded site. There would be little greenspace and she was concerned with parking. The reduced setbacks are also not congruent with normal requirements. She was concerned about increased traffic and safety for pedestrians at the bus stop. Sidewalks should be required. The petitioners are not opposed to growth but not at this scale.

Chuck Forester, 3607 Glen Way is an investor in the project and lives in the neighborhood. He wants to downsize and stay in the neighborhood and a condo would be nice for him in his retirement. He has been involved in other condo developments and there will be bylaws to provide protection in design and quality.

Katrina Auth, 3383 Evergreen Lane was concerned about her children using State Street and standing on the road waiting for the bus when more traffic would come from the development. She is not against new homes on the site but the density is too much for the wooded site.

Ms. Mitchell stated the development is too dense and therefore cannot support the planned development proposal of smaller lots and reduced setbacks. Mr. Radabaugh, Mr. Brenholt and Mr. Seymour concurred. Mr. Pederson stated there will be parking problems on the private drive and was concerned with saving some woods. Mr. Klinkhammer asked about the public street requirement when connecting two existing public roads. Mr. Tufte stated they are not done for single family developments. Ms. Ebert stated there are three condo developments in the area and supports the concept but has concerns with parking and width of the street.

Ms. Mitchell motioned to recommend approval of the rezoning and preliminary condo plat. Mr. Radabaugh seconded. The motion failed on a 7 to 2 vote, with only Ms. Ebert and Mr. Klinkhammer ultimately voting in favor.

2. **REZONING (Z-1618-17) – TR-1A to R-1**  
**PRELIMINARY PLAT (P-11-17) Grover Rd**

Mr. Tufte presented a request to rezone property from TR-1A to R-1 and to approve the preliminary plat at 883 Grover Road. The plat is for 15 lots and one lot by CSM for the existing home. The Comprehensive Plan notes the proposed use is compatible. An outlot for stormwater needs will be dedicated and lots to the south have steep slopes in excess of 20 percent. These areas are non-buildable.

The applicant was not present.

Chris Seelen, 3721 Goldridge Road stated he lives next to the proposed subdivision and there was not communication about the project. The density and lot sizes are not compatible for the area. Grover Road is not situated well for the increased traffic.

Mr. Brenholt and Mr. Larsen moved to postpone so neighbor concerns can be addressed by the applicant. The motion failed with only Mr. Seymour in addition supporting the motion.

Mr. Klinkhammer stated this development is consistent with R-1 standards though the lots are not as large as adjacent town lots. Mr. Larsen stated the applicant should have been at the public hearing to answer questions, but the lot sizes are compatible with the city.

Mr. Klinkhammer moved to recommend approval of the rezoning and preliminary plat subject to the conditions of the staff report. Mr. Radabaugh seconded and the motion carried. Mr. Seymour voted nay.

3. **ZONING (Z-1619-18) – Twin Homes**

Mr. Tufte presented the amendment to Chapter 18.20 regarding twin homes. This change would require a joint cross-access and maintenance agreement to handle issues of mutual responsibility such as public and private utilities, roofing, driveways and other concerns. Staff would review these agreements for approval and would provide a template for developers. The agreement would be recorded with the two properties. Conflict resolution would need to be handled by private mediation.

No one spoke at the public hearing.

Mr. Klinkhammer moved to recommend approval of the Chapter 18.20 amendment for twin homes. Mr. Pederson seconded and the motion passed.

4. **REZONING (Z-1620-18) – TR-1A and R-1A to R-1;**  
**CONDITIONAL USE PERMIT (CZ-1801) – Off-street parking lot in R-1 zoning district**

Mr. Tufte presented a request to rezone property from TR-1A and R-1A to R-1 and to approve the conditional use permit for an off-street parking lot at 108 Mt. Washington Street. The CSM notes a 36-stall parking lot on the first lot, one for the existing home and one lot for a future home. The need for this parking lot and a detailed site plan should be submitted to address staff concerns. The area has been used for many years as parking. The lot is proposed to be a crush rock permeable surface but needs a surface waiver. If they can meet drainage requirements, then asphalt is preferred. If not, a permeable grass-celled system may work.

Matt Gundry, with Fleming Associates and representing the Flying Eagles Ski Club, stated they will purchase Lot 1 for the parking and will asphalt it since drainage can be met.

Mr. Klinkhammer moved to recommend approval of the rezoning and the conditional use permit subject to conditions of the staff report. Mr. Brenholt seconded and the motion passed.

5. **EXCESS LAND**

Ms. Basom presented a request to declare vacant land as excess at Abbe Hill Drive. In 1991 a road connection was made and remnant parcels should be sold to adjacent property owners.

Ms. Mitchell moved to recommend approval of the excess City land. Mr. Pederson seconded and the motion carried.

6. **EXCESS LAND**

Ms. Basom presented a request to declare vacant land at Alpine Road, north of the North Crossing. In 1994 the City received State DOT property near this location and along Clairemont Avenue. The best use would be industrial but a utility easement would be retained. The land for sale would be around 30,000 square feet.

Commissioners had concern about a future grade separation for the railroad and directed to check with City Engineering again before listing it.

Mr. Pederson motioned to postpone the item so Engineering could study if a bridge would be needed in the future. Mr. Klinkhammer seconded and the motion carried.

7. **EXCESS LAND**

Ms. Basom presented a request to declare two properties as excess land at 1939 Cleveland Street and 553 Franklin Street. The two parcels would be sold to the Housing Authority for transitional housing.

Mr. Klinkhammer moved to recommend approval of the excess two properties. Mr. Radabaugh seconded and the motion carried.

8. **ACCEPTANCE OF LAND**

Ms. Basom presented a request to accept properties of land from Eau Claire County tax deed. The two locations are near Gables Drive and Gables Court, as part of The Gables subdivision. The parcels are under tax forfeit and would be used for stormwater drainage.

Ms. Mitchell moved to recommend approval of accepting the two parcels. Mr. Brenholt seconded and the motioned carried.

9. **TRANSFER LAND**

Ms. Basom presented a request to transfer land from the Redevelopment Authority (RDA) to the City. A new trail was constructed recently in the Cannery District. The City would own five feet west of the trail corridor and lands east to the Chippewa River. In exchange, the RDA would receive ownership of two development parcels.

Mr. Radabaugh moved to recommend approval of the transfer of lands in the Cannery District. Mr. Klinkhammer seconded and the motioned carried.

10. **EASEMENT**

Ms. Basom presented a request to release a utility easement along Clearwater Ridge Drive, specifically the north edge of lots 15 and 16. After a new plat (Autumn Birch) was recorded over the existing plat of record (Clear Water Ridge), the City has no need for the easement.

Mr. Klinkhammer moved to recommend approval of releasing the utility easement. Mr. Radabaugh seconded and the motioned carried.

11. **DISCUSSION/DIRECTION**

A. 2018 Plan Progress Report

Mr. Tufte presented the report of 2017 accomplishments, carry over projects and new tasks for 2018.

Commissioners asked for status on alley trash collection and the sidewalk inspection program.

Mr. Tufte stated the sidewalk inspector position was eliminated a few years ago and the alley program may come back depending on council action.

Commissioners agreed to have staff research zoning options on tiny homes and multigenerational housing (e.g., granny flats) in 2018.

B. Code Compliance Items

None.

C. Future Agenda Items

None.

D. Additions or Corrections to Minutes

None.

12. **MINUTES**

The minutes of the meeting of December 4, 2017 were approved.

  
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Craig Brenholt, Secretary