

**CITY OF EDGERTON
EDGERTON CITY HALL
12 ALBION STREET
EDGERTON, WI**

PLANNING COMMISSION

Monday, December 9, 2024 at 6:00 P.M.

NOTICE: The meeting noticed above will also be live streamed on a Zoom platform: To view the meeting, please select the link to the meeting listed on the **calendar events** on the City website's home page at www.cityofedgerton.com. Due to occasional technical difficulties, citizen participation via Zoom may not be possible.

1. Call to Order; Roll Call.
2. Confirmation of appropriate meeting notice posted Friday, December 6, 2024.
3. Approve November 18, 2024 Plan Commission meeting minutes.
4. Consider substitution of nonconforming use at 301 N Main Street.
5. Set next meeting date and future agenda items.
6. Adjourn.

cc: Commission Members All Council Members Department Heads
City Engineer Newspapers

NOTICE: If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341.

Notice is hereby given that a majority of the Common Council is expected to be present at the above scheduled noticed meeting to gather information about a subject over which they have decision-making responsibility. The only action to be taken at this meeting will be action by the Planning Commission."

**NOVEMBER 18, 2024 PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Commission Chair Chris Lund called the meeting to order at 6:00 p.m.

Present: Chris Lund, Paul Davis, Jim Kapellen, Julie Hagemann, and Ron Webb.

Excused: Jim Burdick and Theran Springstead

Also present: City Administrator Ramona Flanigan.

Flanigan confirmed the meeting agendas were properly posted on Friday, November 15, 2024 at the Post Office, Edgerton Library, the City's website and City Hall.

MINUTES: A Ron Webb/Julie Hagemann motion to approve the October 28, 2024 Plan Commission meeting minutes passed, all voted in favor.

PUBLIC PARTICIPATION ACTIVITIES FOR THE 2025 COMPREHENSIVE PLAN UPDATE: The Plan Commission will be updating the Comprehensive Plan in 2025. Public participation is an important part of the update process. The city has contracted with Vandewalle & Associates in the past to assist in the process. Vandewalle provided options for public participation activities for Commission consideration.

A Paul Davis/Julie Hagemann motion to include Focus Group Meetings and an Online Community Visioning Workshop in the Vandewalle contract passed on a 5/0 roll call vote.

APPROVAL PROCESS FOR EXTRATERRITORIAL LAND DIVISIONS THAT COMBINE LOTS: Currently Plan Commission is required to approve any extraterritorial land divisions. Staff is requesting an amendment to the ordinance to allow administrative approval for extraterritorial land divisions that combine lots. This process would require a public hearing take place before the ordinance can be amended.

The Commission agreed to recommend an ordinance change and to start the process of scheduling a public hearing.

EXTRATERRITORIAL LAND DIVISION FOR PETERSEN: A Chris Lund/Ron Webb motion to approve an extraterritorial land division for Petersen for a lot line adjustment on E Knutsen Rd in Section 13 of the Town of Fulton passed on a 5/0 roll call vote.

EXTRATERRITORIAL LAND DIVISION FOR HENNING: A Jim Kapellen/Ron Webb motion to approve an extraterritorial land division for Henning to combine lots on N Arrowhead Shores Dr in Section 16 of the Town of Fulton passed on a 5/0 roll call vote.

EXTRATERRITORIAL LAND DIVISION FOR KASE AND YUSI HE: A Ron Webb/Julie Hagemann motion to approve an extraterritorial land division for Kase and Yusi He to combine lots on Ellendale Dr in Section 11 of the Town of Fulton passed on a 5/0 roll call vote.

EXTRATERRITORIAL LAND DIVISION FOR BERNSTEIN: A Jim Kapellen/Julie Hagemann motion to approve an extraterritorial land division for Bernstein to combine lots on Forest Ave in Section 36 of the Town of Albion passed on a 5/0 roll call vote.

EXTRATERRITORIAL LAND DIVISION FOR MORRISON: A Ron Webb/Paul Davis motion to approve an extraterritorial land division for Morrison to combine lots on Hwy 59 in Section 7 of the Town of Fulton passed on a 5/0 roll call vote.

Being no other business before the Commission, a Ron Webb/Jim Kapellen motion to adjourn passed, all voted in favor.

Ramona Flanigan/wjl
City Administrator

TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: December 9, 2024

STAFF DISCUSSION

The Zoning ordinance allows for the Plan Commission to allow the substitution of one nonconforming use for another nonconforming use if the proposed use is more conforming with the zoning regulations than the previous use. (See ordinance section below.)

Section 450-32 A (3) Modification of a nonconforming use. Only that portion of the structure, fixture, land, or water in actual use may be so continued and the nonconforming use may not be extended, enlarged, reconstructed, substituted, moved, or changed to another nonconforming use, unless such modification would make the nonconforming use have a more desirable effect in terms of implementing the purpose of this chapter (as determined by the Plan Commission). If such a modification occurs, said use shall not be modified back to the original nonconforming use, or to any other nonconforming use which does not better accomplish the purpose of this chapter.

301 N Main Street is zoned B-1 Local Commercial District. (See below for the B-1 district summary.) The previous use of the structure was auto sales (Outdoor Display Land Use) and vehicular repair (Vehicular Repair and Maintenance Land Use) which are nonconforming uses in the B-1 District. The petitioner wishes to establish a small-scale machine shop business (Light Industrial Land Use). The petitioner has provided the attached description of the business and justification as to why the proposed use is more conforming than the auto use. The Zoning Ordinance does not allow auto related uses in the B-1 District as these uses require large lots for auto storage. The subject lot is very small.

§ 450-87 Local Business District (B-1).

A. Description and purpose:

(1) This district is intended to permit small-scale neighborhood commercial development which is compatible with the desired overall neighborhood community character of the area in general and with adjacent residential development in particular. The desired neighborhood community character of the development is attained through landscape surface area ratio (LSR) requirements, and by restricting the maximum building size (MBS) of all buildings within each instance of this district to 5,000 square feet. Significant areas of landscaping are required in this district to ensure that this effect is achieved. In order to ensure a minimum of disruption to residential development, no development within this district shall take direct access to a local residential street. If a parcel is zoned B-1 as of the date of adoption of this chapter and the parcel or improvements do not comply with one or more of the Local Business District requirements listed below, the parcel or improvements is not nonconforming. If, however, any changes are made to the property after the adoption of the ordinance, the changes

themselves must comply with the district requirements. If the property is redeveloped and the reconstruction or development is equal to or greater than 50% of the value of the equalized value of the property, all of the property improvements must comply with the Local Business District requirements.

(2) Rationale. This district is used to provide both convenience-oriented goods and services and for the permanent protection of adjacent residential areas by permitting only a limited range of commercial activities. Together, these requirements ensure that the desired character is maintained as long as the B-1 District designation is retained, regardless of how much development occurs within that area.

Staff Recommendation

Staff recommends the Plan Commission allow the nonconforming use substitution for the machine shop at 301 N Main St with the following conditions:

- No product, salvage, or materials are stored outside.
- Hours of operation are limited to 6:00 am -10:00 pm.
- If there is a dumpster, it is screened from street and the residential neighbor's view.

ACME Industrial, LLC

Glenn Prescott
225A West Main St. Suite A
Stoughton, WI 53589

Dec.2, 2024

City of Edgerton
% Romona Flanigan, City Administrator
12 Albion St., Edgerton, WI 53534

To Whom It May Concern,

This is a request to substitute a nonconforming light industrial use for the existing auto sales and repair nonconforming use, per section 450-32A (3), for the building and property located at 301 North Main St., Edgerton, WI 53534.

The reason for this request is that I desire to purchase the property with my business partner Ann Laundrie and to relocate my business, ACME INDUSTRIAL, LLC, an established small machinery shop engaged in light manufacturing for over 15 years in Stoughton, WI, and to continue to serve my customers in the Edgerton area and throughout southern Wisconsin.

Activities to occur within this proposed business will include the use of metal working machinery such as lathes, milling machines, drill presses, metal shapers, and manual engraving machines, as well as some woodworking machinery, such as a panel saw. The property will also be used for the storage of hardware and inventory related to this industry.

The noise levels of the machinery to be housed and used within the building are at reasonably low volume, and would not be at a level deemed a nuisance to neighboring properties.

Waste materials from this industry are of a non-toxic nature, and will be sorted in proper receptacles for recycling at a nearby recycling center. A 2-yard dumpster will also be located on-site for general rubbish.

There will not be any storage of large implements or automobiles on the property, with the exception of an enclosed trailer located behind the building (which is included in the sale of the property) and the possibility of an open-sided trailer as needed for the delivery or organization of product.

A small, propane-fueled forklift will be housed on-site and stored inside the building for the purpose of loading and unloading machinery and materials.

Visitors to a shop of this nature are minimal, with only the occasional shop assistant or colleague and clients on an appointment-only basis.

There would be minimal use of side-street parking and very little (if any) disruption to traffic flow. As this is not an "open to the public" business, it is not foreseen that there will be vehicles present in the parking area unless a client or shop assistant is present, with the exception of my own vehicle.

The approval of the nonconforming substitution will allow for the purchase of this property to move forward, and for steps to be taken to see to the repair and reconditioning of the building and the move-in of business equipment and materials.

It is not foreseen that there would be any change or impact to the property or areas adjacent to the property in relation to lighting, odors, sewer or water service, parking, traffic circulation, or property values. Because my proposed use has no auto storage outside and has minimal drive-in customers, my use better meets the objectives of the B-1 District.

I look forward to working with the City of Edgerton and for the opportunity to continue my industry in a space that would allow for growth and development.

Respectfully,

Glenn A. Prescott
ACME INDUSTRIAL, LLC