



**WINFIELD PLAN COMMISSION**  
**MEETING MINUTES**  
OCTOBER 13, 2020 @ 6:00PM

The Winfield Plan Commission held a meeting on Thursday, October 13, 2020 at the Winfield Town Hall at approximately 6:00 p.m. Those present: Tim Clayton, Dave Anderson, Gerald Stiener, Jim Hajek, Joe Gacsy and Mark Nelson. Also present: Town Administrator Nick Bellar; Town Attorney, Ryan Deutmeyer; and Mike Duffy, Town Engineer.

**MINUTES: September 10, 2020**

Mark Nelson made the motion to accept the minutes from September 10, 2020. Dave Anderson seconded the motion. The motion carried with all in favor 5-0. Joe Gacsy abstained as he was not present for the meeting.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

- 1. Request for Public Hearing – Docket PC 2020-09 – Zone Change – AG to R-1**  
**Owner:** Michelle and Tracy Thompson  
**Petitioner:** Michelle and Tracy Thompson  
**Vicinity:** 4570 E. 113<sup>th</sup> Ave.  
**Request:** Zone Change – AG to R-1

Stewart Allen, representative for Michelle and Tracy Thompson, explained they would like to build two houses on the property requiring a subdivide and a rezone is necessary because the lot will no longer be large enough to be considered AG zoning once divided. AG zoning requires a minimum of 5 acres. Nick Bellar noted this property is located at 113<sup>th</sup> Ave. and State St./Benton St. area. Most of the second proposed parcel is east of where the road ends with a driveway coming off of 113<sup>th</sup>. There was no objection from the Lake County Drainage Board; they just wanted the legal drainage easement noted on the plat. The Lake County Health Department is comfortable with the placement of the septic field. Gerald Stiener asked about the dedication of right of way from 113<sup>th</sup> Ave. Mr. Allen stated they have not changed what was already dedication on the plat from before, they did not add anymore. Gerald asked about the soil testing and if they still have enough room for the septic field on the second lot. Mr. Allen said they do. He also asked if they were aware of Graper Ditch in the area. Mr. Allen said the property owners are aware of the ditch and that Lake County will be doing work in the area on the ditch, they provided an easement for that work as well. Gerald asked about their driveway coming off the curb and if the property owner would be maintaining all of it including the portion in the right of way. Mr. Allen said yes, they will be maintaining it. Nick said that nearly every driveway in Town crosses the right of way and is maintained by the homeowner. Mike Duffy stated this was discussed at TAC that this road might be developed further at some point which means that driveway might also have to be broken up when that road is continued. Gerald asked why one small part of the property is oddly shaped. Mr. Allen said that was for a drainage easement to maintain drainage to Graper Ditch. Nick also noted they are pursuing a waiver on lot 2 for frontage. Gerald stated he does not have a problem with that. No further discussion was had. Dave Anderson made the motion to approve the Public Hearing Request for Docket 2020-09, Zone Change from AG-R1. Joe Gacsy seconded the motion, the motion carried with all in favor 6-0. Nick stated the Public Hearing will be scheduled for November 12<sup>th</sup>.

- 2. Request for Public Hearing – Docket PC 2020-10 – Primary Plat Approval – Thompson Acres – 2 lot subdivision**  
**Owner:** Michelle and Tracy Thompson  
**Petitioner:** Michelle and Tracy Thompson  
**Vicinity:** 4570 E. 113<sup>th</sup> Ave.  
**Request:** Primary Plat Approval of 2 lot subdivision with Waiver.

Most of this was discussed under the previous item. Mr. Allen stated the property owner plans on breaking ground in the spring. Mrs. Thompson stated they will only be building their home on the first lot right away. The second lot is for their daughter and son-in-law to use in the future. Joe Gacsy asked what the placement of the house on lot 2 will be. Joe noted with the drainage easement it looks like a fairly confined space. Mr. Allen stated it will likely be a north/south facing house, facing

the road that will eventually be there. It is still at least an acre outside of the easement. Dave Anderson made the motion to approve the Public Hearing Request for Docket PC 2020-10, Primary Plat Approval, Thompson Acres, 2 lot subdivision. Jim Hajek seconded the motion, the motion carried with all in favor 6-0. Mr. Allen asked if the Public Hearing is also for the final Plat approval. Nick Bellar explained after they are given Primary Approval there is a 30 day period that has to lapse before they can be granted final approval but they do not have to come back to the Plan Commission. However, the proper application still must be filed. He and Mike Duffy will work with them to check to make sure the plat matches. The zone change will also go to the Town Council.

### **3. Discussion Item: New residential development.**

Nick Bellar stated Chip Krusemark from Olthoff Homes is back with revised plans from the previous meeting. Chip stated most of the changes have been made to the product. They now have more design options for their models they did not have when he was here the first time in July. The overall layout of the subdivision is similar. They will have connection from the neighboring Providence at Stonegate Subdivision and Latitude across the street on 117<sup>th</sup> Ave. They cannot make any further connection to the west, that property owner has no interest in selling at all. Gerald Stierer commented that the design of the homes is far improved. Dave Anderson stated he agrees the designs are improved but some are still similar. Dave said he is still not a fan of 70 foot lots, he would prefer 80 foot lots. Dave asked Nick about the land adjoining the community park. Nick stated he is not sure how large Outlot F is but with the number of lots and size of the subdivision they are required to donate at least 5.3 acres of park land to the Town. Chip stated Outlot F is a little over an acre. Nick said in past conversations, they discussed having as much of that requirement adjacent to the park as possible. Dave said he would prefer to have the acreage over the funds in lieu of land mostly because of the location. Gerald asked what the lot sizes of Latitude are. Mike Duffy was unsure but the larger lots were at least 70 feet. Chip stated not all of Latitude lots are 70 feet; all of Olthoff lots would be. Dave also stressed the importance of anti-monotony and how they have had to monitor builders now that were trying to build the same houses next to each other. Gerald said he does not have a problem with the lot sizes, this is what people want now and this is not a gated subdivision where you're going to expect large lot sizes. Jim Hajek asked how these designs fit in with the new masonry requirements. Nick stated he did not bring that information with him but if a house is over 2,000 square feet, masonry is not required. If it is under 2,000 square feet it has to have 25-30% masonry on the front elevation of the home. Mike Duffy stated with Latitude they asked them to make sure a pool could still fit on a lot with the biggest foot print house on the smaller and larger lot sizes. Nick said that is correct they have to avoid the town being hit with a bunch of variance requests for a pool and explained a pool needs to fit in a backyard and be 10 feet from the house and rear and side property lines. Nick also noted they included the 10 foot side yard on one side. Gerald would like there to be at least 15 feet between each house. Joe Gacsy asked if they measure side yards by foundation or eave. Chip stated they measure by foundation. Joe asked about the location of the home utilities and if they were going to be required to be placed in the back of the home or be included in the size of the side yard setback. Nick said there will be no requirement. Mike asked if they are going to mandate that if the neighbor has 5 feet the other neighbor has to have 10 so there will always be 15 feet between each house. Nick stated there was never a minimum between houses they only discussed there being 10 feet so a person could access their back yard while staying on their own property. Gerald asked Chip if it would be too difficult to engineer the plans as Mike explained. Chip stated he was unsure he would have to discuss that with the construction side of the development. Nick stated the Building Department is now overloaded with checking on extra elements of each home that comes in; he believes it would be sufficient to just leave it that each home has to have 10 feet on one side of the house. Dave Anderson asked what the price points of the homes will be. Chip stated the villa homes will be starting between \$280,000 - \$315,000 and the single family will be between \$350,000 - 390,000. Dave asked if a three-car garage will fit on each lot. Chip stated on most they should unless they choose one of the largest foot prints. Tim Clayton asked if the outlots are park land or retention. Chip stated they are more for retention. Joe asked again about the side yard sizing and if they could just show the plans with the homes on the lots to view the size of the side yards. Chip said the issue with that is they don't know which home plan will be going on each lot. Joe said he is saying the responsibility of the making sure the side yard size is regulated should fall on the developer starting with mandating that lot 1 would start at 10 feet and the rest would follow on the primary plan. Chip stated he is not sure how that would work and he would have to talk to those on the building side. Mike stated it should not be too difficult to set standards and just shift the house over 5 feet to meet the requirement. Chip will check to make sure that is something like that is possible. Nick asked if there were any other comments on the park land. Gerald stated he would also like to see more land added to the park, it is the only large park they have. Chip will also look into that to see what can be done.

### **STAFF REPORT / ATTORNEY REPORT**

Attorney Deutmeyer stated he Nick Bellar and Gerald Stierer recently went over some of the proposed changes to the town code and discussed further the item brought up at the last meeting pertaining to smoke shops. He recommended they do not specifically define it or a dispensary so it would not be put in the special exception category. They have discussed as it is today

if a smoke shop comes in, they fall into the retail category, so what they have discussed is to have the retail category exclude vape/smoke/dispensaries and require them to come in for use variance. This way the BZA will be able to check off on the location of the shop and it will work its way up to the Town Council for final say. Dave Anderson agreed with that suggestion and recommended to just put all the changes together to be approved. Attorney Duetmeyer stated that is what they are doing and it will be up for Public Hearing first in November, then the Commission to will vote to make a favorable recommendation to the Town Council. Mark Nelson asked if sizing on solar panels will be added to that. Nick stated he needs to review that further, it will not be ready in time for the November meeting.

With no further business before the Commission, Mark Nelson made a motion to adjourn, seconded by Gerald Stiener, passed by voice vote 6-0.

**ADJOURNMENT:** 6:46 pm

Attest:

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Plan Commission President

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Plan Commission Secretary

Transcriber: Kim Wachowski  
Administrative Assistant

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