



# WINFIELD PLAN COMMISSION

## MEETING MINUTES

JUNE 13, 2019 @ 6:00PM

The Winfield Plan Commission held a meeting on Thursday, June 13<sup>th</sup>, 2019 at the Winfield Town Hall at approximately 6:00 p.m. Those present: Tim Clayton, Gerald Stiener, Joe Gacsy, Dave Anderson, and Jon Derwinski. Mark Nelson was absent. Josh Malher has resigned. Also present: Town Administrator Nick Bellar; Town Attorney Ryan Deutmeyer, Austgen Kuiper Jasaitis P.C.; and Mike Duffy, Town Engineer.

### MINUTES: May 9, 2019

Joe Gacsy made the motion to accept the minutes from May 9, 2019. Jon Derwinski seconded the motion, the motion carried with all in favor 5-0.

### OLD BUSINESS:

None.

### NEW BUSINESS:

#### **1. Town Council Recommendation: Deer Creek Estates Phase 2 Performance Bond reduction.**

Mike Duffy stated the developer now has the binder down, they are requesting a reduction down to 30% which brings the amount to \$124,010.87. Jon Derwinski made the motion to make a recommendation to the Town Council for the reduction of Deer Creek Estates Phase 2 Performance Bond to \$124,010.87. Gerald Stiener seconded the motion, the motion carried with all in favor 5-0.

#### **2. Town Council Recommendation: Deer Creek Estates Phase 3 Performance Bond reduction.**

Mike Duffy stated this is the same situation as Phase 2, the binder for this phase was put in at the same time. They are requesting a reduction down to 30% for this phase as well bringing the amount to \$341,402.03. Gerald Stiener made the motion to make a recommendation to the Town Council for the reduction of Deer Creek Estates Phase 3 Performance Bond to \$341,402.03. Jon Derwinski seconded the motion, the motion carried with all in favor 5-0.

#### **3. Primary Plat Approval Extension Request: Wynbrook Phase 2; previously approved August 14, 2014.**

Eric Bobey, current developer for Wynbrook Subdivision, stated it has been 5 years since the Primary Plat was approved for Phase 2. He is requesting an extension of 3 to 5 years. He would like at least 3 years so he is not coming back next year requesting another extension. Nick Bellar noted it is up to the Commission to grant an extension of any amount of time; they don't have to grant the request at all. Joe Gacsy asked Mr. Bobey what movement they've had on the subdivision. Mr. Bobey stated it has been on the market for sale for the past year and a half. He went on to say he currently has control over what can be developed there, but if the Primary Plat expires then he cannot control what is developed on the property. He wants to uphold the promise he made to those he sold 22 lots to, of the subdivision that was approved, original Wynbrook. Mr. Gacsy stated he does not believe he would be able to have control over what the new owner did in any event and believes it would be in Mr. Bobey's best interest to just sell the property. Mr. Bobey replied that he is trying to maintain the property values of the area by selling the land with the approved plat. Mr. Gacsy again stated he doesn't see how he would be able to control that; no work has been done on the subdivision in the past 5 years, there is no point for an extension and the property should just be sold. Mr. Bobey stated that other subdivisions have been granted extensions in the past. Joe stated those subdivisions continued to touch base with the Town and Plan Commission on their progress, there has been nothing from Mr. Bobey in the past 5 years.

Gerald Stiener asked Mike Duffy if any of the Town's engineering has changed since this was approved. Mike said they made changes in 2016 for storm water; he would have to go back over their plan to see if it matches the updated Ordinances. Mr. Bobey said they did plan for the 100 year rain on the primary plat, Mike stated they have made more changes for pre-treatment of storm water before it reaches ponds and other retention areas. Gerald stated he wouldn't have a problem granting a short-term extension because ordinances do change and will probably change again within five years. Dave Anderson agreed with Gerald and proposed a one-year extension. Gerald Stiener mentioned to Mr. Bobey, from a real estate approach, it would probably be more appealing to a buyer if they were able to change the frontage on 109<sup>th</sup> of the property which is currently show for drainage. Mr. Bobey stated he did have an offer for a commercial development but it didn't work out with financing on the buyer's part. He is concerned with how

long it would take for a commercial property to sell and he does not want to redesign the subdivision. Dave Anderson made the motion to grant a one-year Primary Plat Approval extension to Wynbrook Phase 2. Gerald Stiener seconded the motion. The motion carried 4-1 with Joe Gacsy voting against.

**4. Discussion item: New commercial development proposal.**

Jeff Brant with Brant Organization presented an assisted living development at the northeast corner of Randolph Street and 117<sup>th</sup> Avenue. The property is currently zoned C-3 for commercial use. The assisted living facility will consist of 126 beds, 95 units would be for memory care, 31 would be assisted living. On the rest of the property they plan to do age restricted independent living with townhome/duplexes. A special exception approval would be required from the BZA for the nursing home use. Gerald Stiener asked who would be owning the independent living quarters and homes. Mr. Brant said it would be owned under one LLC and leased out. Gerald asked Attorney Deutmeyer asked if this project would qualify for TIF revenue if included in the TIF District; this property is currently located within the TIF District. Attorney Deutmeyer stated the nursing facility would, but not the independent townhome/duplexes. Gerald stated he doesn't have a problem with the assisted living facility but would not be in favor of the independent living homes if they could not qualify under the TIF District. Dave Anderson agreed he would not want to give up tax funding, Attorney Deutmeyer will double check to see if they could be included. Tim Clayton also agreed. Joe Gacsy asked where the duplexes would be located on the property; if the larger facility would have the frontage on Randolph. Mr. Brant stated it would all be visible from the road. They have not done a site plan yet but they planned to put the duplexes next to the school and run along the back property line of Lakes of the Four Seasons. Joe recommended blocking the duplexes with landscaping if they decide to move forward with that. Gerald stated they would also have to make sure they meet architecture requirements on the main building. Mike Duffy noted they would have to bring sewer and water lines from across the street. Mr. Brant stated he believed the developer already owns water and sewer taps from Twin Lake Utilities. Gerald stated because this falls within the town's boundaries they would have to connect to the town's utilities. For clarification, Mr. Brant said to his understanding the Commission is favorable to the assisted living facility but not the duplexes, pending they would not be eligible for TIF revenue. The Commission members stated that is correct. Dave Anderson stated if they did meet the TIF it would be preferable if they were smaller detached cottage homes. Gerald said if they were included in the commercial district, they would also be subject to architectural approval. Mr. Brant stated they do not have a firm product yet; this is just something they have used in other communities. Dave stated he also agreed with Joe Gacsy that landscaping would help as well. Mr. Brant stated they could also have an actual commercial development on the corner of the property across from Ace Hardware if the market interest is there. Nick Bellar stated that would require a Subdivision to occur. Attorney Deutmeyer will research the allowance of the TIF District and provide that information to Nick to distribute to the Commission.

**STAFF REPORT/ATTORNEY REPORT**

No report.

With no further business before the Commission, Gerald Stiener made a motion to adjourn, seconded by Dave Anderson, passed by voice vote 5-0.

**ADJOURNMENT:** 6:30 pm

Attest:

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Plan Commission Secretary

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Plan Commission President

Transcriber: Kim Wachowski  
Administrative Assistant