

Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION

held on Monday, March 8, 2021, at 6:00 p.m., in the Board Room, at the Municipal Center

AGENDA ITEMS.

- 1. Meeting called to order by Plan Commission (PC) Chair & President Mark Maloney at 6:10 p.m.**
- 2. Roll Call of Village PC by Secretary Parker.**

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	Excused
Meinel, Steve	YES
White, Loren	YES

Village Staff in attendance: Higgins, Wodalski, Wheaton, Chartrand, and Tatro. Maguire and Parker were present on Zoom. There were 14 audience member present.

- 3. Approve minutes from the February 8, 2021 Joint PC/ETZ Meeting.**

Motion by Meinel, second by Cronin: To approve the February 8, 2021 Joint PC/ETZ Meeting Minutes. Gau commented he was not there.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

COMMUNICATIONS

- 4. Opportunity for citizens to be heard.**

Wodalski stated that Jim Pinsonneault would like to speak tonight regarding the construction plan for the Denyon subdivision.

- 5. Written communications received.**

None.

PUBLIC HEARING

- 6. Public Hearing – Project #20210042 Dan Higginbotham, of Plover River Land Co., 2625 Northwestern Avenue, Wausau, WI 54403, on behalf of property owners, Ronald & Mary Dassler, 221987 County Road J, Schofield, requesting a rezone of a portion of their property at 8101 County Road J, from AR (Agriculture and Residential) Zoning District to B3 (General Business) Zoning District as described as: A parcel of land being all of Lot 1 of proposed CSM to be recorded in 2021, except the**
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portion already zoned B3, described in Doc. No. 856181, being about 7.07 Acres located in the Northeast 1/4 of the Northeast 1/4, of Section 25, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. Parcel is identified as PIN 192-2808-251-0999.

And a portion of their property at 8101 County Road J, from AR (Agriculture and Residential) Zoning District to RR-5 (Rural Residential – 5 Acre) Zoning District. Said parcel contains 245,508 Square Feet, or 5.64 Acres. Parcel is identified as PIN 192-2808-251-0997.

a. Open Public Hearing.

Maloney opened the public hearing at 6:15 p.m.

b. Presentation by Application.

Dan Higginbotham, 2625 Northwestern Avenue, Wausau, explained the two parcels, and how they are proposed to be rezoned and reconfigured, using the wetlands as the natural dividing line. He pointed out the property owner (Ron Dassler) is present.

c. Public Hearing/Public Comment Period.

Lloyd Wanta, 7813 County Road J, who also owns 7809 County Road J, wanted to know how this will affect his parcels. After some discussion, it was explained to Lloyd that if he wants to use his property for commercial, he will have to go through the rezone process.

d. Close Public Hearing.

Maloney closed the hearing at 6:20 p.m.

e. Discussion by Plan Commission Members.

None.

f. Recommendation from Staff.

Staff recommends approval.

g. Action and Recommendation to the Village Board by Plan Commission.

Motion by Guerndt, second by Meinel: to recommend approval on Project #20210042.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

7. Public Hearing – Project #20210053 Brad Larson, of Don Nikolai Construction, 8867 E. 29th Street, Marshfield WI 54449, on behalf of FTF Properties LLC, 9004 Progress Way, Weston, WI 54476, to allow for the addition of an outdoor dust collector at FTF Properties LLC’s property at 9004 Progress Way, within the LI (Limited Industrial) Zoning District, which the use falls under the Heavy Industrial Land Use, which is only allowed within the LI Zoning District through a Conditional Use Permit. The property is described as Weston Business and Technology Park South – Lot 6, consisting of 4.4950 Acres. Parcel is identified as PIN 192-2808-243-0050.

a. Open Public Hearing.

Maloney opened the public hearing at 6:22 p.m.

b. Presentation by Applicant.

Brad Larson, Project Manager for Nikolai Construction, explained they are in the process of putting on a 60,000 sq ft. addition, most will be for the manufacturing facility, and part will be an addition to their office. With the expansion of the manufacturing facility, OSHA is requiring a 3rd dust collector. This dust collector will look the same as the other two presently on the property.

c. Public Hearing/Public Comment Period.

None.

d. Close Public Hearing.

Maloney closed the hearing at 6:25 p.m.

e. Discussion by Plan Commission Members.

None.

f. Staff Report.

Staff recommends approval.

g. Action by Plan Commission.

Motion by Gau, second by Meinel: to approve Project #20210053

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

NEW BUSINESS

8. Project #20210064 – Elevate 97 on behalf of Kwik Trip, 2727 N Central Ave, Phoenix, AZ 85004, requesting a Special Exception to allow a larger electronic message and additional sign panel on an existing non-conforming freestanding sign within the B2 (Highway Business) Zoning District at 7701 Schofield Ave (PIN 192 2808 232 0962).

Motion by white, second by Guerndt: to approve Project #20210064. Wheaton commented the address listed on the agenda was incorrect. This is for their 3207 Birch Street location, not 7701 Schofield Avenue.

They confirmed this is just a square foot larger than the existing.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES

Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

9. Project # 20210049: Discussion and recommendation to the Board of Trustees on proposed Addendum No. 3 To Stone Gate Condominiums. (Resubmittal of never recorded, August 2020 approved plat)

Wheaton explained this request, stating the owner and association are looking to dissolve the two undeveloped building pad locations and to dissolve those two, making them part of the overall common element.

Motion by Meinel, second by Guerndt: to approve. Wheaton stated this will go to the Board for approval.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

10. Project # 20210077: Discussion and action on a proposed concept plat for the Denyon Homes Birch Street Subdivision

Wheaton pointed out Heath Tappe, of Denyon Homes, and Nick Bancuk, of MTS Consultants, are here on behalf of this project. She stated Tappe submitted this concept plat for subdivision with phasing in it. There will be some sort of multi-family housing to the north, then transitioning down to duplexes, then down to condominiums, and then going down to single-family homes. She stated this is a concept plat, so we are just looking at basic layout. Staff is still working with Tappe on the utilities and the rezone that will have to come forward.

Higgins commented how the Future Land Use Map shows this area as future Planned Neighborhood Development, which requires the mixed land use, and this does not meet that. They will need to put a request in for a comprehensive plan map amendment to change the areas to Single-Family Residential – Sewered, Two-Family Residential, and Multiple-Family Residential. They would then be able to request rezoning to the Single-Family Residential – Small Lot, Two-Family Residential, and Multiple-Family Residential.

Pinsonneault questioned the dead-end street at the top right, and asked if they are planning for a road to the east. Wheaton stated this road will go into a parking lot. Pinsonneault questioned if there is sidewalk on Birch Street now. Wodalski stated there is not sidewalk there now; however, we have a 2022 scheduled reconstruction of Birch Street planned, which will have a multi-use path on Birch Street. Pinsonneault questioned if there will be sidewalks on both sides of each of the proposed streets. Wheaton stated the code does allow for sidewalk to be just on one side, but that it then needs to be 10'. This proposed subdivision is showing just 5' sidewalks on one side. Pinsonneault questioned the cul-de-sac on the south end of this subdivision, asking if it could be redesigned to go around the perimeter to avoid a cul-de-sac. Higgins stated there are wetlands there that prevent it from going any farther.

White commented on how we don't like cul-de-sacs, and neither does the fire department, but this is fairly short, and the hose that the trucks carry would be able to reach the homes in there. He stated they make cul-de-sacs large enough for their apparatuses to turn around in there.

Pinsonneault commented on how the cul-de-sac he lives on, which was under construction, had to be made bigger to allow for fire trucks, etc. He wanted to be sure this cul-de-sac met those needs.

Meinel questioned the recent approval on apartments to the east. Higgins stated that is the Swiderski development, who came in with their rezone, but have not come in with their final development plans yet. Higgins stated how Tappe is having discussions with Swiderski on Swiderski possibly purchasing Tappe's proposed multi-family lot and developing that. Higgins stated now when Swiderski does build their apartments east of this, they could develop it so that there is a connection between the two parking lots that will allow access on both sides (whether public or private). Meinel would like to see sidewalk along the north side there, as you will have a high concentration of people in this area. Higgins stated this is their concept plan, and they will come back in with the preliminary plans, and then final plans. The Plan Commission should let the Developer know their wishes now so they can be brought forth in the Preliminary Plat.

Bancuk stated the reason why they are bringing forward the concept plan, and not the preliminary plat, is that they are asking for some things that are out of the ordinary. They don't want to get too far into the design stage, until after they get those items worked out to find out what the Village is comfortable with. He stated they did originally have a cul-de-sac at the end of that north road, and staff suggested they just dead-end it. That it would just go into the multi-family parking lot, where that parking lot would connect to the Swiderski apartment parking lot to the east, which will allow emergency access for each. He stated they are only asking for sidewalk on one side of the road, mainly for development costs. They are proposing to provide a pedestrian access to Birch Street (between Lots 13 & 14) in addition to one along the ANR Gasline (between lots 70 & 71 and 69 & 86) to connect those two roads in the horseshoe. Bancuk explained that where the cul-de-sac is, there are several factors – wetland, ANR gasline, overhead powerline. They are doing their best to have as much connection. He stated there are only 3 lots that will have access onto Birch Street (Lots 6, 8, and 87). They are proposing a maintenance road on the southeast corner outlot for sewer maintenance and stormwater. They are proposing a basin down there. They have contacted the County to put the sewer through their property as well as the maintenance road which would connect to Camp Phillips. Bancuk stated Tappe is proposing the row houses to be 2-story. Higgins state the multi-family area could be apartment buildings.

Guerndt questioned if Tappe is planning the multi-family to be a Swiderski development. Tappe stated he has talked with them and a few other developers, though, Swiderski makes a lot of sense here.

Bancuk stated they have laid out 9 12-unit apartments in the multi-family area, but they did not lay out the parking lots or a full analysis on that yet. He is thinking they can get 100 units in there. Tappe clarified 60 – 100 units. Bancuk stated when looking at the unit per acre requirement, you can get a lot more in there, but a lot of this is wetland. Bancuk is assuming the apartments will be 2-story.

Guerndt stated he likes the layout of the concept, stating how it buffers the area to the north well. Guerndt agrees with Meinel that there should be either sidewalk or walking trail along the north side of that northernmost road.

Bancuk clarified the right-of-way on this full plat is 60-feet wide, with 30-feet on each side and suggesting a 5' sidewalk on one side.

White commented that it seems to him a 10' wide path would be less expensive than two 5-foot sidewalks. Bancuk stated if they had to put in a 10' path, it would then be two 5-feet. White commented about how a lot of people are not opposed to sidewalk, they don't want it in front of their home.

It was confirmed to Cronin that our code stated if you don't want to do sidewalk on both sides, that you can do one 10' walkway. Cronin stated that for the sense of keeping things consistent, if we are going to tell one person they have to have sidewalks on both sides, we have to tell everyone sidewalks on both sides.

Guerndt stated he struggles with the sidewalk requirement. He stated in his Misty Pines Subdivision, they have a sidewalk on each side of the street and one side that goes nowhere. As a developer he would rather contribute that towards an existing neighborhood that could use it. Meinel stated this is different in that there is multi-family here. Guerndt agrees along the north side there should be two sidewalks, and then as you get into the single-family area, he does not see sidewalk on both sides necessary. Guerndt commented on how Misty Pines is all flat curb and gutter, so you can walk in the ditches. Bancuk stated this is proposed as all flat curb & gutter with flat boulevards.

Gau confirmed Birch Street will have a multi-use path, and there is enough right-of-way for that.

White commented on the Crestwood Acres Subdivision where we required sidewalks on both sides, and how it is contradictory for us to require them in one subdivision, but not another. However, in the Crestwood Acres Subdivision project, the Village is paying for the sidewalks, where here, the developer will pay for the sidewalks.

Tappe brought up how Windemere Oaks does not have sidewalks, and then across the road there being double sidewalks. He stated it is similar to the "one-car garage code", and how the Village should look at the code to see if there is a better option.

Tappe also commented on if they have to have sidewalks on both sides of his streets, it may encourage people to come into his subdivision to walk on his sidewalks, versus the multi-use path on Birch Street.

Tappe stated how he has seen many subdivisions which have just one sidewalk, and how it still gives a place for people to walk and saves the developer money too.

Wodalski commented to Gau that the multi-use path on Birch Street is planned for the east side of the road.

Guerndt questioned how the Village feels about just having the roads in here widened and having the multi-use area on the pavement. Higgins stated this subdivision will most likely cater to younger families. She commented on how when her children were younger, and when living in the (Tappe) Sandy Meadow Subdivision, since there were no sidewalks, they had to stay in the yard. Maloney commented how worried he gets when he travels through the Sandy Meadows neighborhoods, especially when it gets dark, as there is so much traffic through there, a lot of young families, and no sidewalks. Maloney stated if there was anything to change back when that subdivision went in, it would have been to require sidewalks.

White questioned Wodalski the State money the Village is receiving for Birch Street, if it requires we put in a multi-use path to be eligible. Wodalski answered that the State law changed a few years ago, now you have to show them proof that your community wants them to have it for those costs to be eligible for reimbursement.

Meinel stated Birch Street is very busy with a lot of traffic. He can't see this subdivision without sidewalks, when considering the amount of housing that is proposed. He commented on the Windemere Oaks Subdivision, which does not have sidewalks, and there are a lot of people walking those streets.

Higgins stated Birchwood Highlands is a very active community too.

There was discussion on the path planned along the ANR gas line, between lots 70 & 71 and 69 & 86.

Jeff Marg commented on the current housing stock, currently in Marathon County there are only 69 homes for sale.

Maloney commented on why Tappe can't add that little bit of cost into the entire project to get it paid back by the purchaser. Maloney asked Tappe if he would be disclosing in his sales which homes have sidewalk.

Guerndt stated the costs of sidewalks there will probably add up to \$75,000 - \$100,000 extra. Wodalski stated it would be about \$1,500 per lot. Maloney feels that is not too much for the safety.

Maloney stated the two proposed paths between lots would make him uncomfortable if he lived in one of those houses. Tappe stated the path to the north would be more useful than the one to the south. Tappe stated that staff wanted that south one for a short-cut for pedestrians. Wodalski commented on how that horseshoe road is 1,800 feet, which meets the road length; but pedestrian length, crossings are supposed to be every 900 feet. Gau commented that the pedestrian short-cut to the south is good for connecting neighborhoods. Some of the members felt the south "pedestrian short-cut" does not need to be there.

Guerndt questioned if everyone is okay with the 34' back-to-back curb? Maloney questioned what our response will be to the next new subdivision that asks for only one sidewalk. Higgins suggested to at least have double sidewalk up by the apartments.

White questioned if this will be mountable curb and gutter. Wodalski stated these will be true curb and gutter, not mountable, which will help direct stormwater to the storm ponds. Tappe questioned if they can do mountable curb. Bancuk stated while regular curbing is better for stormwater, mountable does make it easier to place driveways. Gau stated with mountable, you will have issues with plows rutting up yards. Tappe brought up his Fountain Hills subdivision and stated he does not have issues with plows there. Guerndt stated how regular gutter can be difficult in subdivisions, as you have to cut out the curbing for the driveway. Bancuk asked Wodalski if the Village's code requires one over the other. Wodalski stated it does not. Bancuk commented, we can discuss the curbing at a later time. Bancuk commented on how the only savings there really is with all mountable curb is in the driveway, which is not much. Guerndt stated if the curb cut is not in the correct place for driveways, it could cost \$2,000 to make the correction. Maloney commented that perhaps we can make a compromise (double sidewalks required for all mountable curbing).

Guerndt commented it sounds like we are good on the right-of-way, the back-to-back curb, double sidewalk, and good on zoning.

Meinel stated that he is not comfortable with the multi-family zoning not knowing the details of it. Bancuk stated if Tappe is not developing it himself, it is hard to say how it will be laid out by another developer. Tappe stated most likely 2-story, 8-12-unit buildings.

There was further discussion on the dead-end road to the future apartments. There was also discussion that the water will loop through Swiderski's development here.

Higgins stated we need PC to map out the direction for this development so Tappe and staff knows how to proceed.

Motion by Guerndt, second by Cronin: to approve the concept plat with 60-foot right-of-way, 30-foot back-to-back curb, 5-foot sidewalks on two sides, allow mountable curb, 5-foot path to Birch Street and over the ANR gas line, 10-foot gravel maintenance road for stormwater basin, and sanitary manholes. Question: Gau questioned the rezoning. Higgins stated that will come later with the plat.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES

Gau, Duane	-----
Guerndt, Gary	YES
Jordan, Joe	YES
Meinel, Steve	YES
White, Loren	YES

STAFF REPORTS

11. Project #CU-5-17-1637: Acknowledgement of Vibration and Noise Study required in conditional use permit issued to Mitch King & Sons, 6205 Municipal Street.

Motion by White, second by Gau, to acknowledge Item #11.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

12. Acknowledge Report re: February 2021 Staff-Approved Certified Survey Maps and Site Plans

Motion by Gau, second by Cronin, to acknowledge Item #12.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

13. Acknowledge Report re: February 2021 Building Permits

Motion by Guerndt, second by Gau to acknowledge Item #13.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Maloney, Mark	YES
Cronin, Steve	YES
Gau, Duane	YES
Guerndt, Gary	YES
Jordan, Joe	-----
Meinel, Steve	YES
White, Loren	YES

MISCELLANEOUS

14. Project Updates

a. Unfinished Business – Discussion and Possible Recommendation to the BOT on the Petition to Vacate an Unimproved Portion of Dominika Street Right-of-Way, laying south of Mary Lane.

Maloney stated he had a discussion with Muzynoski, and Maloney feels we can act on this at the next meeting, without two corners dedicated. Maloney stated to put this on the next agenda for action.

Higgins stated there is an issue with the trust Buska has on his property, that they are working through. She stated Buska is in support, but there is just a paperwork issue that is being resolved. She stated the Budleski issue will most likely be coming before the Board.

b. Continued Discussion of Needed Amendments to Chapter 94 Zoning

i. Planned Unit Development Language

No update.

c. Park Impact Needs Assessment

Higgins stated this will come up at a future meeting. We need to come to an agreement on the numbers. The State Statutes requires us to do a Park Impact Needs Assessment to determine how much we can charge. Roffers has gone through this, and we have broken the fee down into two different fees, and now PC gets to set that.

d. Schofield Avenue Corridor Plan

Going to Public Hearing.

e. Weston Avenue Corridor Plan

Going to Public Hearing.

f. Proposed Amendments to Chapter 14 Building and Addressing Regulations.

Maloney stated this is postponed for a future meeting.

15. Next Meeting Date

a. Monday, April 12, 2021 @ 6pm – Regular Meeting.

Guerndt stated he will not be at the April 12th meeting.

16. Remarks from Staff and Commission Members.

Guerndt questioned on a mixed-use project, how much has to be commercial versus residential? Higgins stated typically about half of the first floor has been proposed as commercial. A few plans that have been submitted preliminarily have shown the first floor is half commercial/retail and half parking for the apartments that are on floor 2 and 3 above. Higgins stated some may have separate buildings, but on one site. It was confirmed to Cronin that you can have all commercial on a mixed-use site.

Meinel commented on how we should re-evaluate the TIF goals. Higgins stated after we adopt these plans, we then have to do a TIF#2 Plan Amendment. Meinel does not want TIF money to be able to go towards an apartment building, as it should be used for job creation.

ADJOURNMENT

17. Adjournment of PC

Motion by Gau, Second by Guerndt, to adjourn at 7:18 p.m.

Mark Maloney, Plan Commission Chair and Village President

Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary