

**Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION**

held on Monday, March 11, 2019, at 6:00 p.m., in the Board Room, at the Municipal Center

AGENDA ITEMS.

1. Meeting called to order by Plan Commission Chair & Village President Barb Ermeling.

2. Roll Call of Village Plan Commission by Secretary Parker.

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	NO - Excused
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

Village Staff in attendance: Donner, Wodalski, Higgins, Wehner, Maguire, and Parker.

There were 6 people in the audience.

3. Opportunity for citizens to be heard.

None.

4. Written communications received.

None.

5. Approval of minutes from the February 11, 2019 – Regular PC meeting.

Motion by Zeyghami, second by Gau: to approve the February 11, 2019, PC Meeting minutes.

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

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	---
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

6. Acknowledge Report re: Staff-approved CSM's, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies.

Motion by White, second by Mumper: to acknowledge the Reports - Staff-approved CSM's, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies.

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

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	---
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

7. Acknowledge Report re: February 2019 Building Permits.

Motion by Zeyghami, second by Jordan: to acknowledge the Reports – February 2019 Building Permits.

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

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	---
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

8. Public Hearing – Discussion and Action on Special Exception request by D.C. Everest Youth Baseball, pursuant to Section 94.13.02(9), to allow off-premise advertising signs, as described in 94.13.04(1)(m), exceeding the number of permitted wall signs (94.13.07(7)(a)1.a.), and number of permitted freestanding signs (94.13.07(7)(a)2.a) within the PR (Parks and Recreation) Zoning District, at Kennedy Park, 5701 Alta Verde Street (Project 20190011).

a. Open Public Hearing.

Ermeling opened the PC public hearing at 6:03 p.m.

b. Presentation by Applicant.

Lukas Chariton, 1825 Spring Street, Schofield, who is the concession manager from D.C. Everest Youth Baseball, was present in support.

He stated this request is to put up area business advertising signage, as an opportunity for area businesses to donate to the D.C Everest Youth Baseball.

It was discussed that the donations received from business sponsors are used to make improvements in and around the ball diamonds (including the fencing). He stated they would like the approval to hang 3'x5' signs on the fencing around the Jones 1 and 2 fields, and 5'x7' signs on the fencing around the Babe Ruth field. He stated they would also like to hang on the east side of the storage building, located between the Jones 1 and Jones 2 fields.

He stated that D.C. Everest Youth Baseball will perform the maintenance to the banners, and how the banners will only be hung through the baseball season.

Ermeling confirmed these are left up during the summer months of baseball season. Chariton answered yes, and stated there will be 3 large tournaments which will draw in large amounts of people. He stated the first tournament is in June, and each team has 12-14 people.

White questioned if they have received negative feedback from any of the neighbors.

Mumper stated he was actively involved in the baseball program, and except the possibility of other local organizations wanting to do the same, he is in support of this.

Higgins stated a special exception option was created in the zoning code for this type of situation.

Ermeling questioned if we get complaints from neighbors about not liking seeing the advertising. Higgins stated people may not even see the signs, as they will be facing the in-fields.

Chariton stated the Babe Ruth field would hold 48 signs, and the Jones 1 and Jones 2 fields can hold 60 signs (30 each).

White questioned proposal for side of storage shed, where concession building is. White questioned who owns the shed. Maguire and Mumper think D.C. Everest Youth Baseball built it, but on Village property, but it was quite a long time ago that no one is completely certain.

c. Public Hearing/Public Comment Period.

Carol Garrity, of 5805 Alderson Street, was present in opposition. She feels the signs will bring the aesthetics of the neighborhood down, and does not want to see signs up there.

Parker commented that Stuart Babl, 2206 Neupert Avenue had called last week and expressed his opposition.

Jim Garrity, of 5805 Alderson Street, was also present in opposition. He stated they moved here about 49 years ago. He brought up that about 40 years ago D.C. Everest was going to put their Administration Office here, but it went to public vote. He feels this will lead to a bunch of billboards. He is opposed to permanent signs. He stated this is going to look like a business, not a park. He also felt the public hearing notice was very confusing.

Tim May, 5303 Winding Creek Drive, who is the new Advertising Coordinator for D.C. Everest Youth Baseball. He stated these would be removable signs, not permanent. The signs will be removed if damaged (ripped or torn) at all. He stated the man hours that would be needed to put up and take down the signs for every game is not feasible. He stated the group incurs a large amount of expense, and this will help them out. He stated the signs would be up between May 1st – Labor Day, which is when the signs would come down.

Garrity stated D.C. Everest Youth Baseball has not had any problems raising money in the past, why do they need to go this route now? He feels this is a generous community, and they should ask for donations.

May stated currently there are no banners on the fence now. These banners will have a white back. The grommets will be 30" apart and will be fastened with zip ties.

d. Close Public Hearing.

Ermeling closed the PC public hearing at 6:27 p.m.

e. Discussion by Plan Commission.

Ermeling stated she agrees with neighbors' concerns with the signs going to be up all summer long.

Higgins stated PC can limit the number of signs to be hung. She pointed out there are signs in the ballfields at the school, and how no one ever complained about those.

Maguire, speaking on behalf of D.C. Everest Youth Baseball, as it's President, stated there is an alternative idea, where they could add the green fabric liner around the fencing and put the signage in front of that. This would block the view of the signage from the road. Higgins pointed out that fabric does not hold up very well in high winds.

Gau confirmed this is a seasonal process. He questioned if businesses pay for advertising signs, will there be a new fee each year for renewal? What happens with sign if no renewal? Chariton stated there would be a higher price for the initial sponsorship, then with a lesser renewal rate. He pointed out how the association put \$14,000 of dirt on one of the play fields last year. He feels it would be too costly to install fence screening.

Zeyghami questioned staff if the green backing is for wind. Wehner stated it is only screening, and is perforated to allow wind to blow through.

Gau questioned if approved, but with the condition of adding the green screening. Will the cost of the screening be to the Village or to the applicant. Wehner stated the cost would go to the applicant. Donner stated the option of fabric screening was not previously discussed.

Wehner stated currently, they are requesting to have the signs up April 1st – September 1st. PC can adjust the timeline. Ermeling questioned what can happen if we receive complaints. Wehner stated a special exception does not fall under same requirements as conditional use, so we have more leniency and control. Wehner stated the neighbors would file a request to have the special exception permit revoked.

Garrity feels a new notice should be sent out, as this one is confusing. Higgins stated this is the information we are required to provide. We are following the procedures for hearings and special exceptions. If he had questions, he should have called our office, or stopped in. The contact number was provided in the notice, including phone number. There was also a statement that told the residents how to access the hearing information online so he could have seen everything the Commissioners were given in their packets.

Mumper questioned with this being on Village property, if there is a mechanism to have this reviewed in one or two years by PC, in case there are issues. Higgins stated PC can add that in the permit.

Chariton stated he would be willing to do a 1-year trial period and come back again next year.

f. Recommendation from Staff.

g. Action by Plan Commission.

May asked if they can come back sooner than May to renew. Higgins stated yes.

Motion by Gau, second by Mumper: to approve, as a pilot project, the Special Exception request by D.C. Everest Youth Baseball, to allow off-premise advertising signs, at Kennedy Park, 5701 Alta Verde Street (Project 20190011), with a permit sunset within 1 year. Q: Zeyghami asked if we are recommending the screening too. Gau stated no. Motion passed.

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

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	---
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

9. Discussion and Action on Resolution No. 2019-PC-001: Master Plan for Weston Marketplace as part of the D-WM (Weston Marketplace) Overlay Zoning District at 3806, 3910, 4002, and 4020 Schofield Avenue.

Wehner stated the site at Weston Marketplace is complex with a lot of businesses. The code currently states the owner determines who gets signage, and where (1 sq. ft. per sq. ft. of linear wall). The sign plan creates a standard for the businesses so that they know what they have available for square footage.

Wehner discussed what is going on, where some businesses are taking up more space than others, and causing an issue where there is not enough space left for other new businesses coming in.

Mumper questioned if the business owners (tenants of the buildings) have been notified. Wehner stated no, but existing signs will not be affected, as long as they don't change size and type. Higgins stated Lokre Development is aware. These are all leased space and the developer approves this.

White stated it is unfortunate that the developer did not have the foresight about this. Higgins stated this happens with all the multi-tenant buildings. The only sign plan we currently have is with the hospital.

Gau questioned how the approvals work here, and what about planned unit developments. Higgins stated this is an overlay district. Gau questioned if another development came in if we would require a sign plan. Higgins stated we would do that. We do not have PUD's anymore.

Wehner stated Victor Anderson requested today the Tine and Cellar building be allowed 32 square feet there.

Motion by Zeyghami, second by White: to approve Resolution No. 2019-PC-001, with the requested modification to the Tine and Cellar building.

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

<u>Member</u>	<u>Voting</u>
Ermeling, Barb	YES
Gau, Duane	YES
Jordan, Joe	YES
Kollmansberger, Tina	---
Mumper, Roy	YES
White, Loren	YES
Zeyghami, Hooshang	YES

10. Discussion and Action on Sign Permit Application ID 17661 for Fantastic Sam's as part of the D-WM Weston Marketplace Overlay Zoning District at 3910 Schofield Avenue, Suite 2.

Higgins stated no action needed, as taken with Agenda Item #9.

FUTURE ITEMS

11. Next meeting date(s):

- a. Monday, April 8 @ 6pm
- b. Monday, May 13 @ 6pm
- c. Monday, June 10 @ 6pm
- d. Monday, July 8 @ 6pm
- e. Monday, August 12 @ 6pm
- f. Monday, September 9 @ 6pm
- g. Monday, October 14 @ 6pm
- h. Monday, November 11 @ 6pm
- i. Monday, December 9 @ 6pm

12. Topics for future meetings.

a. Unfinished Business – Discussion and Recommendation to BOT on future Planning & Building Permit Fee Philosophy & Policies. (PC/ETZ).

Higgins stated at the upcoming Board of Trustees meeting, Maguire will give a presentation, that he gave at the last Plan Commission meeting here. She stated how staff is working on getting a timeline together as to how much time Tatro and Maguire spend on inspections. Maguire commented he is trying to find the right formula as to how much time for the different types of projects (manufacturing, commercial, residential, etc.).

b. Unfinished Business – Discussion and Possible Recommendation to BOT on the petition to vacate an unimproved portion of the Dominika Street right-of-way laying south of Mary Lane.

Wehner stated he met with the Village attorney to discuss options. He stated that staff prefers to keep the right-of-way there, but with an option to go down to 60' (versus 66') and ask neighbor to shift his property west. Wehner stated this would not alter the property much, and if street went through today, the neighbor to the west would not notice a difference.

Donner stated this really can't be done without advocating the owner to talk to his neighbor.

Ermeling commented how the builder should be responsible.

c. Kennedy Park Memorial Site Plan.

Higgins stated Cassandra Ambrosius, who coordinates Run to Remember event, is looking to place a memorial for the victims of the March 22, 2017 shootings, at Kennedy Park. We are working with them on a site plan. Putting the memorial in Kennedy Park has been approved by the Park & Rec Committee and the Board.

13. Remarks from Staff.

Wehner stated he would like to meet with all the sign contractors to get their input on the rest of our sign code.

14. Remarks from Commission Members.

Ermeling questioned the new restaurant (Tine & Cellar), and the light fixture issue. Higgins stated their light has to be reviewed by a 3rd party engineer. She stated that the State has also held up final occupancy. Higgins stated Tatro is covering this.

15. Announcements.

None

16. Adjournment of Village Plan Commission.

Motion by Gau, Second by Mumper to adjourn at 7:11 p.m.

Barb Ermeling, Plan Commission Chair & Village President
Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary