

The Ledgeview Zoning & Planning Commission held a meeting on **Wednesday, August 14, 2019 at 6:00 p.m.** at the Ledgeview Community Center located at 3700 Dickinson Road, De Pere, WI 54115.

1. CALL TO ORDER

The meeting was called to order by Chairwoman Jane Tenor at 6:00 PM.

2. ROLL CALL

Members present were Chairwomen Tenor, Vice Chair Mark Handeland, Commissioners Renee Van Rossum, Mark Chambers, Chet Lamers, and Kris Baran. Commissioner Tauranio Garcia was excused.

Staff present were Planner Dustin Wolff and Clerk Charlotte Nagel.

3. APPROVE/AMEND AGENDA

Staff advised there were no changes to the agenda. MOTION by Lamers/Baran to approve agenda as written. No further discussion. Motion carried in a voice vote, 6-0.

4. Act on Minutes from March 12, 2019.

MOTION by Han/Van Rossum to approve the minutes as written. No further discussion. Motion carried in a voice vote, 6-0.

5. NEW BUSINESS:

- a. **Review and make recommendation on the request by Kristina Cappelletti of Fox Cities Sign & Lighting, agent, for a Sign Approval Application for De Leers Legal and Northright Financial located on lot 17A in Olde School Square, 2200 Dickinson Road.**

This application is for review of commercial wall signs at the new development located in the Olde School Square Neighborhood Center District (NCD). The building is Site 17A in the northwest corner of the NCD parcel. There are two users in a single leased space—Northright Financial and DeLeers Attorneys.

At issue is that two signs are requested for a single leasable space on the same façade of the building. The Sign Code does not make accommodations for this—it allows one sign per leasable space determined by the length of the front facade of the principal building.

Per section 135-192 of the town code, NCDs must have a Code of Development which establishes unifying design guidelines, including regulations specific to each district. The Code of Development specifically indicates that appropriate combinations of materials, colors, and textures shall be used and required themed color combinations for the NCD. Signage design shall comply with overall NCD design. Staff advised the petitioner that only the Zoning & Planning Commission can approve the requested signage.

Based on the staff review to the code requirements, staff is recommending denial of the signage based on sections 79 and 135 of the Town Code, as well as the Olde School Square Code of Development based on the following:

1. As is the case with other commercial entities with multiple users in a single space, it is the owner's responsibility to determine how to allocate sign space and determine the user that is afforded a sign on the façade.
2. Proposed signage should be reduced in overall size as they are disproportional to building.
3. Signs should be oriented toward pedestrians and be placed on rectangular or creatively shaped background to match other signs in Olde School Square.

The petitioner and building owner were in attendance of the meeting. They presented evidence in support of The Commission making an exception for the unique circumstances. The Building Owner is in partnership

with Northright Financial and is also an attorney; she owns stake in both the building and the businesses. Not only do clients need to find her for legal appointments, they also need to find her for financial business as well. Therefore, the two signs are being requested.

There was discussion on whether or not to allow for two signs for one rentable unit. The Commission ultimately appreciates the business that two entities brings to Ledgeview and won't to see them be successful. So the two signs were allowed on the front of the building which should be oriented toward pedestrians (parking lot) and be placed on rectangular or creatively shaped background to match other signs in Olde School Square.

The petitioners were also requesting a sign on the buildings north elevation facing Dickinson Road. There was discussion on allowing this signage, and if allowed, what would be the maximum size. Staff advised that a second sign on a separate elevation is allowed by code, but the sign can only be sixty-percent of main signage on the front of the building. The rendering supplied to The Commission at the meeting depicts the front signage a total of 75 square feet, therefore, the north elevation sign can only be 31.8 square feet. The petitioners agreed to that size and location of the signage.

There was concern that the proposed signage doesn't blend in with the overall sign requirements of Olde School Square. However, the consensus was that the signage wasn't inappropriate either, so they allowed the proposed sign style. Note that the existing sign style for Olde School Square is for the signage to be placed in a creative background integrated into the building design.

MOTION by Handeland/Van Rossum is to recommend approval of the three signs with the stipulation that the two signs on the east elevation equal a total of 75 square feet as presented at the meeting, and the sign on the north elevation totals 31.8 square feet. No further discussion. Motion carried in a voice vote, 6-0.

b. Review and make recommendation on the request by Bryan Pfeffer of Robert E. Lee & Associates Inc., agent for property owner Elaine LeDuc, for a Certified Survey Map on parcel D-489-1, 2440 Oak Ridge Circle, creating two (2) lots.

The petitioner is requesting approval of a two (2) lot Certified Survey Map (CSM) to subdivide the residence and accessory buildings from the remaining vacant lands. Proposed Lot 1 will be reduced from to 4.0 acres. Lot 2 will measure 12.27 acres. The property has 250-feet of frontage along Oak Ridge Circle, and is located adjacent to Unity Hospice.

After reviewing the CSM Evaluation it is Staff's recommendation that Zoning & Planning recommends approval of the CSM to the Board at this time, subject to the following conditions:

1. Lot line between Lot 1 and Lot 2 to be perpendicular to Oak Ridge Circle to ensure a more standard, rectangular lot shape in compliance with the Subdivision Regulations.
2. Dedication of 35-feet from centerline for Oak Ridge Circle to be illustrated on the CSM.
3. Add the following notation to the CSM: a. Future bicycle and pedestrian facilities will be provided in the right-of-way of Oak Ridge Circle.
4. Land division to comply with the regulations of Section 135-11(G)(2), specifying the aggregate amount (area) of accessory structures and number of accessory structures, unless a variance or exception to the Code is approved by the Board of Appeals.
5. Any technical corrections required by the Town Engineer or Brown County must be addressed prior to Town signature of the CSM.

There was discussion on the petitioner's intent to appear before the Zoning Board of Appeals as they would like to keep the buildings on the property without a primary structure which is against code.

MOTION by Handeland/Baran to approve the prepared resolution recommending approval of the CSM. No further discussion. Motion carried in a voice vote, 6-0.

- c. **Review and make recommendation on the request by Steve Bieda of Mau & Associate LLP, agent for owner Ted Murray, for a Rezone Request on parcel D-230-2 located at 2075 Hawthorne Heights Drive from R-R, Rural Residential Zoning, to R-1, Residential Zoning, in conjunction with the below stated Certified Survey Map.**
- d. **Review and make recommendation on the request by Steve Bieda of Mau & Associate LLP, agent for owner Ted Murray, for a Certified Survey Map on parcel D-230-2 located at 2075 Hawthorne Heights Drive to create three (3) parcels.**

Items c and d were talked about together.

The petitioner is requesting to rezone the property from R-R, Rural Residential District to R-1, Residential District for a future land division. This rezone accompanies a three (3) parcel Certified Survey Map (CSM).

Based on an evaluation of the key “findings of fact”, staff does not recommend the Plan Commission recommend approval of this rezoning petition to the Town Board for the following reasons:

1. The proposed rezoning to R-1 is not consistent with development trends in the area to preserve large lot, estate-type development.
2. The proposed zoning district enables lots that are less than ½-acre in area and does not conform to the character of development in the immediate area and is not consistent with the Comprehensive Plan goal to “Ensure the compatibility of adjoining land uses for both existing and future development.”

At this point the attention turned to the CSM itself. The petitioner is requesting the approval of a CSM to create a two (2) new parcels from the existing 11.02 acre parent parcel. A request to rezone the property from R-R, Rural Residential District to R-1, Residential District has also been submitted.

Based on an evaluation of the CSM, staff’s recommendation is that Zoning & Planning not approve or recommend approval to the three (3) lot CSM as submitted as the layout of Lot 2 and Lot 3 does not comply with the regulations outlined in Chapter 96: Subdivision & Platting Regulations. Further, the following issues would need to be addressed:

1. Illustrate the following on the CSM:
 - a. Required 35’ ROW dedication for Whisper Lane.
 - b. Niagara Escarpment and steep slope topography of the properties.
 - c. Conservation easement for the escarpment area.
 - d. Utility easement on Lot 1 for the existing lateral to the residence on Lot 2.
 - e. Required setbacks for the parcels, including ESA setback.
 - f. Town Clerk is Charlotte Nagel.
2. Add the following notations:
 - a. Future on-street bicycle facilities will be installed along Hawthorne Heights Drive, Dickinson Road, and Whisper Lane.
 - b. Conservation easement language provided in this memo.
3. Any technical corrections required by the Town Engineer or Brown County.

Note the Town Planner did offer an alternate to the CSM that would bring it into compliance with Town Code and not require a rezone. Based on this alternative the petitioner withdrew the rezone application, and agreed to amend the CSM to that alternative should the property owner agree. If the property owner agrees, the petitioner did not want to have to come back through Zoning & Planning. Therefore, Zoning & Planning approved the Planner’s alternative option.

MOTION by Van Rossum/Handeland to approve a new resolution approving the Town Planner's alternate option as illustrated in the staff memo. No further discussion. Motion carried in a voice vote, 6-0.

e. Review and make recommendation to the request by Ledgeview Park & Recreation Committee on the proposed View Shed Analysis.

In Summer of 2018, staff and the Town of Ledgeview Parks and Recreation board began efforts to develop the Town's first viewshed analysis. The purpose of the study was to inventory and analyze the Town for priority views and contributing visual characteristics that make it a desirable place to live, work, and play.

Over the last year, regular updates on the viewshed analysis progress were presented at the Parks, Forestry, and Recreation Committee meetings. In addition to review of the document itself, the committee guided the document's recommendations by providing feedback through the following processes.

- Review and discussion of viewshed analysis study methodology and objectives
- Review and discussion of data and findings in the form of inventory and analysis maps
- Discussion of planning tools, recommendations, and findings of the viewshed analysis as it relates to the Town's policies, adopted Comprehensive Outdoor Recreation Plan (CORP) and other guidance documents.
- Developing a strategy to engage the public in the viewshed inventory process. (Photo contest)
- Review and discussion of next steps and implementation efforts in order to establish how the document will be used moving forward.

On July 15th, 2019 the Parks, Forestry, and Recreation Committee made a recommendation of approval for the **Town of Ledgeview Viewshed Analysis, 2019**. This memo will provide an overview of the components that make up Ledgeview's Viewshed Analysis, general policy recommendations resulting from the study, and ways the document can be used by the commission to preserve environmentally sensitive and historically significant areas and viewsheds.

MOTION by Lamers/Chambers to recommend approval of the View Shed Analysis. No further discussion. Motion carried in a voice vote, 6-0.

4. OLD BUSINESS: None.

5. DISCUSS WORK PLAN. None.

6. STAFF REPORT.

a. Update on future agenda items.

- A proposal from Heartland Pizza was discussed and feedback as given for a future agenda item.

b. Review town board decisions.

- Town Board approved Final Plat for The Crossing at Dollar Creek Third Addition.
- Town Board approved Blaise Bildings Rezone Application.

7. COMMUNICATIONS BY COMMISSION MEMBERS.

- Lamers talked about safety concerns residents had with the new Ledgeview Loops.
- Handeland gave an update on the Brown County Planning Board of Commissioners.

8. ADJOURN.

MOTION by Van Rossum/Baran to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting adjourned at 7:56 PM.

Approved at the September 11, 2019 Zoning & Planning Commission Meeting.

Approved at the September 17, 2019 Town Board Meeting.

Respectfully submitted,

Charlotte K. Nagel, Clerk
Town of Ledgeview, Brown County, WI