



**MEETING MINUTES
TOWN OF LEDGEVIEW
ZONING & PLANNING COMMISSION
Wednesday, June 10th, 2020 at 6:00 p.m.
Ledgeview Community Center
3700 Dickinson Road
De Pere, WI 54115**

Please Note: In light of current public health concerns regarding COVID-19, this will be a telephone/video conference meeting for Commissioner members. Members of the public who wish to participate in the meeting may contact the Town Clerk at (920)336-3360 or via email at cnagel@ledgeviewwisconsin.com at least twenty-four (24) hours prior to the meeting time to request telephone access to the meeting. Anyone wishing to submit comments must do so in written format to the Town Clerk prior to 12:00pm Noon the day of the meeting.

1. Call meeting to order.

The meeting was called to order by Vice-Chair Mark Handeland at 6:03 PM

2. Roll call.

Vice-Chair Mark Handeland, Commissioners Renee Van Rossum, Kris Baran, Taurnio Garcia, and Mark Chambers appeared in person, Commissioner Chet Lamers appeared virtually. Chairwoman Jane Tenor was excused. Staff present was Planner Dustin Wolff appeared virtually, and Clerk Charlotte Nagel appeared in-person.

3. Approve/amend agenda.

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

4. Act on minutes from May 13, 2020

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

5. Old Business: None.

6. New Business:

a. Review and make recommendation on the request by Healthy Heating and Cooling, Ed Schneider, agent, for a Sign Approval Application on the rear of the building at 570 Red Bird Circle.

The petitioner is requesting a variance to Section 79-13(C)(2) the Sign Code to allow a second wall sign on the back side (rear) of the building. The site is zoned B-2, Business District.

Section 79-13(C)(2) the Sign Code clearly states that in the B-2 District, a business may have one (1) wall identification sign for the façade of the building. If specific circumstances are present— either lot frontage on multiple roadways or the main entrance no visible from the roadway, a second wall sign would be permitted. A wall sign currently exists on the front of the building over the main entry facing Redbird Circle.

While the parcel in question may currently have visibility from Swan Road, it does not have frontage on Swan Road. Parcel D-365-15 is located immediately east of the subject property and is currently vacant. If the parcel were to be built on, the subject building will not be visible from Swan Road.

Approved at the July 15, 2020 Zoning & Planning Commission Meeting.

Approved at the July 21st, 2020 Town Board Meeting.

The petitioner has argued that the adjacent building to their south, the Varsity Center development at 566 Redbird Circle (Parcel D-427-108), has a second sign located on its rear façade, facing Swan Road. This sign was approved by the Town in February 2010 as the Sign Code at that time did not prohibit signs on the rear of buildings.

Subsequent to the approval of the sign on the rear of the building, the Zoning & Planning Commission (ZPC) and the Town Board approved changed to the sign code that specified that one (1) wall sign over the main entrance was permitted in the B-1, B-2, LI, HI, and R-3 Districts. In 2017, the Code was amended to allow for a second sign in specific circumstances.

Per Section 79-18(B) of the Sign Code addressing variances allows the Zoning & Planning Commission the authority to grant variances to the sign code where “the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship.”

It is staff’s opinion that the requested variance from Section 79-13(C)(2) the Sign Code to allow a second wall sign on the back side (rear) of the building should not be approved by the Zoning & Planning Commission.

The Town chose to deliberately prohibit signs on the back of buildings unless specific conditions were met. The parcel must have frontage on multiple roadways, or the main entrance is not visible from the roadway. Neither of these conditions are met.

Further, it is Staff’s opinion that there is no unnecessary hardship. The desire for greater visibility for a business sign is not the responsibility of the Town or its Sign Code. If business visibility were a key concern, the petitioner should have chosen a building/site with frontage on busier roadways. Such sites are likely more expense to purchase or lease, and presumably this location was a business decision.

Finally, there are no special conditions to the site present. The site is flat, and the building and its wall sign are very visible from Redbird Circle.

The Commission discussed several aspects of the sign such as visibility from Swan Road, the fact that the building next door did have a wall sign on the rear of the building, as well as the Sign Code itself. The Commission conceded to in no way did they want to approve this wall sign as a precedent for future sign standards. The Commission felt that if they wanted wall signs on the rear of the building the code should be changed to accommodate that; however, the Commission felt that they didn’t want to support rear building signage.

MOTION by Van Rossum/Chambers to deny the Sign Approval Application on the rear of the building at 570 Red Bird Circle. No further discussion. Motion carried in a voice vote, 5-1 with Handeland dissenting.

7. Staff Report.

a. Update on future agenda items.

- Mystery Ridge Plat

b. Review Town Board decisions.

- Approved the sign application for Mulva Baseball Fields located at Scray Hill Park.
- Approved the Building, Site, and Operations Plan for Swan Club, Inc. for a remodel and outdoor patio seating.
- Approved the Final Subdivision Plat for Ledgeview Property Investments.
- Approved Building, Site, and Operations Plan for Dedicated Systems for parking lot lighting.
- Denied Ledgeview Development of Brown County’s rezone and subsequent Preliminary Condo Plat on Ledgeview Road.
- Approved the Rezone Application and subsequent Preliminary Plat for Stone Fence Preserve Subdivision.
- Approved the Future Land Use Map Amendment for a Mixed Use District on Creamery Road.

8. Communications by Commission members.

Approved at the July 15, 2020 Zoning & Planning Commission Meeting.

Approved at the July 21st, 2020 Town Board Meeting.

- Mark Handland advised that the Brown County had nothing for Ledgerview.
- There was talk regarding issue in preserving the Environmentally Sensitive Areas.

9. Adjourn.

MOTION by Handeland/Baran to adjourn. No further discussion. Motion carried in a voice vote, 6-0. Meeting was adjourned at 6:29 PM.

Respectfully submitted,

Charlotte Nagel, Clerk