

**PLAN COMMISSION MINUTES  
5500 SCHOFIELD AVENUE  
WESTON, WI 54476  
MONDAY, AUGUST 11, 2008 – 6:00 P.M.**

**I. CALL TO ORDER**

Village President, Fred Schuster called the meeting to order at 6:00 p.m. Members present were Mike Stenstrom, Mary Hancock, and John Evans. Members excused were Trustee Mark Maloney, DPW Keith Donner, and Kim Fischer. Community Development Director, Jennifer Higgins, Building Inspector, Scott Tatro, and Recording Secretary, Valerie Parker were present. Trustee Loren White was also present. There were 6 audience members present.

**II. PUBLIC HEARINGS – 6:00 P.M.**

**A. PUBLIC HEARING - APPLICATION #REZN-7-08-1025 BY DANIEL ARTZ ON BEHALF OF CHESTER CHEREK REQUESTING TO REZONE A 5 ACRE PARCEL OF 7101 KMIECIK STREET FROM AG (AGRICULTURE) TO RR (RURAL RESIDENTIAL) TO ALLOW FOR A SINGLE FAMILY HOME TO BE CONSTRUCTED.**

Daniel Artz, 7110 Callon Avenue, stated that the only way he can purchase this 5 acres is if the land is zoned RR. Higgins explained that the provision in the code for AG does allow for one additional unit and she explained the lot sizes. Both the AG & RR are holding districts. She said that this is still a very rural area. The remaining piece of the 40 will be AG.

**1. CLOSE HEARING/DISCUSSION AND ACTION ON APPLICATION #REZN-7-08-1025**

Schuster closed at 6:12 p.m.

The members went through the Finding of Facts form which had all favorable answers.

***\*M/S/P Stenstrom/Evans: to approve application #REZN-7-08-1025 by Daniel Artz on behalf of Chester Cherek requesting to rezone a 5-acre parcel of 7101 Kmiecik Street from AG (Agriculture) to RR (Rural Residential) to allow for a single family home to be constructed.***

**B. PUBLIC HEARING – APPLICATION #REZN-7-08-1027 BY THE VILLAGE OF WESTON PLAN COMMISSION REQUESTING A REZONE OF THE FOLLOWING PROPERTIES PER SEC. 94.216 OF THE VILLAGE ZONING CODE:**

Higgins explained how this issue came up. She stated there are three properties (2121 Cutoff Road, 2220 Cutoff Road, and 2320 Cutoff Road) that are using their properties as multi-family and would like to remain as R3. She spoke to Gruna and Drumm, who are fine with the rezone. Higgins stated that back in 1991 (during the Masterplan), this area got turned to commercial even though they are still being used as residential. She said that a resident was not able to get financing when trying to buy a house in this area because the home was not zoned residential.

1. 2008 Cutoff Road (Romanowski) – Rezone from B-3 (General Commercial) to R-2 (Single Family Residential - 10,000 sq. ft. minimum lot size)
2. 2102 Cutoff Road (Draeger) – Rezone from B-3 (General Commercial) to R-2 (Single Family Residential - 10,000 sq. ft. minimum lot size)

Ray Lundquist & Barb Draeger, 2102 Cutoff Road, stated that they did not know they were zoned B3. Higgins re-explained the issue. Lundquist stated that Draeger would want to rebuild a home if it were to burn down. Higgins stated that this area appears as if it will remain residential. Our future land use map shows this area as residential. They are in favor of their property being rezoned to residential.

3. 2115 Cutoff Road (Albrecht) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential - 15,000 sq. ft. minimum lot size)
4. 2118 Cutoff Road (Drumm) – Rezone from R-3 (Residential Multiple Family) to R-2 (Single Family Residential - 10,000 sq. ft. minimum lot size)
5. ~~2121 Cutoff Road (Trusty) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential - 15,000 sq. ft. minimum lot size)~~ REMAIN R-3 FOR DUPLEX USE
6. 2203 Cutoff Road (Brzezinski) – Rezone from B-3 (General Commercial) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)
7. 2204 Cutoff Road (Marek) – Rezone from R-3 (Residential Multiple Family) to R-2 (Single Family Residential- 10,000 sq. ft. minimum lot size)
8. 2206 Cutoff Road (Kasper) – Rezone from R-3 (Residential Multiple Family) to R-2 (Single Family Residential- 10,000 sq. ft. minimum lot size)
9. 2210 Cutoff Road (Goodin) – Rezone from R-3 (Residential Multiple Family) to R-2 (Single Family Residential- 10,000 sq. ft. minimum lot size)
10. 2215 Cutoff Road (Loomans) – Rezone from B-3 (General Commercial) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)
11. 2216 Cutoff Road (Raddatz) – Rezone from R-3 (Residential Multiple Family) to R-2 (Single Family Residential- 10,000 sq. ft. minimum lot size)
12. ~~2220 Cutoff Road (Rucinski) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential - 15,000 sq. ft. minimum lot size)~~ REMOVED PER PROPERTY OWNER – WILL REMAIN R-3 DUE TO ITS USE AS A DUPLEX
13. 2305 Cutoff Road (Drake) – Rezone from B-3 (General Commercial) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)
14. 2306 Cutoff Road (Holcomb) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)
15. 2312 Cutoff Road (Gruna) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)
16. ~~2320 Cutoff Road (Bowman) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential - 15,000 sq. ft. minimum lot size)~~ REMOVED PER PROPERTY OWNER – WILL REMAIN R-3 DUE TO ITS USE AS A DUPLEX
17. 2402 Cutoff Road (Leitermann) – Rezone from R-3 (Residential Multiple Family) to R-1 (Single Family Residential- 15,000 sq. ft. minimum lot size)

Schuster stated that a long time ago Walgreens was going to build on that corner. So people thought that this area was going to develop into commercial.

Higgins brought up correspondence that she received from Brook Rucinski's (2220 Cuoff Road) father on wanting to keep their lot R3.

**1. CLOSE HEARING/DISCUSSION AND ACTION ON APPLICATION #REZN-7-08-1027.**

Schuster closed this hearing at 6:12 p.m.

The members went through the Finding of Facts form which had all favorable answers.

***\*M/S/P Hancock/Stenstrom: to approve application #REZN-7-08-1027 by the Village of Weston Plan Commission Requesting a rezone of the above-referenced properties per Sec. 94.216 of the Village of Weston Zoning Code, excluding the three (2121 Cutoff Road, 2220 Cutoff Road, and 2320 Cutoff Road) to be removed from this list due to their wanting to remain as R-3.***

**III. CONSIDERATION OF PLAN COMMISSION MINUTES**

**A. JULY 14, 2008**

No action was taken on this item. The July 14, 2008 Plan Commission minutes were already approved at the Special Plan Commission meeting on July 21, 2008.

**IV. CONSENT AGENDA ITEMS**

**A. STAFF APPROVED CSM'S**

**B. STAFF APPROVED SIGN PERMITS**

**C. CERTIFICATE OF OCCUPANCY ISSUED**

***\*M/S/P Evans/Hancock: to acknowledge the consent agenda items.***

**V. NEW BUSINESS**

**A. RESIDENTIAL CSM#RCSM-7-08-1026 – CREATE A 5-ACRE PARCEL OUT OF AN EXISTING 40-ACRE PARCEL (ARTZ/VREELAND)**

Higgins stated that since Plan Commission approved the rezone (above) that CSM can now be approved also. She pointed out that this approval is contingent on the Board's approving next week.

***\*M/S/P Evans/Hancock: to approve the residential CSM#RCSM-7-08-1026 – create a 5-acre parcel out of an existing 40-acre parcel (Artz/Vreeland).***

**B. COMMERCIAL SITE PLAN #CSIT-7-08-1022 – PARKING LOT IMPROVEMENTS PLAN – WISCONSIN STEAKHOUSE (WISH), 5006 E. JELINEK AVENUE (WISH/STS)**

Higgins explained that this is an existing site where they are bringing their parking lot up to code. She pointed out that they are asking for a landscaping waiver. She stated that they are creating some driveways and improving the aesthetics of the parking lot.

Bill Meyer, STS Consultants, 3909 Concord Avenue, questioned if it is the staff recommendation that if any addition increases the impervious surface, that a stormwater management plan be used.

Stenstrom questioned the west end of the parking lot, that it appears to be overflow parking. Meyer stated this is not designated as a parking area, people just park there for overflow. Stenstrom stated that we need to find a way to keep people from parking in the grass. Meyer stated it was an old lot line mark on the plan, that this is still part of their property. Meyer stated the number of parking spaces do meet the Village requirements.

Schuster pointed out that there is another agenda item (Bullshooters) asking for the same waiver. Higgins explained to the committee that this site is different, due to its location and the fact that they are retrofitting the site. Whereas Bullshooters is a brand new building (improved lot). Higgins stated there will be some greenspace on this WISH site, just no shrubbery. Higgins mentioned that Fish Tank will need the same requirements as WISH with having a landscaping and parking plan.

***\*M/S/P Evans/Stenstrom: to approve the commercial site plan #CSIT-7-08-1022 – parking lot improvements plan – Wisconsin Steakhouse (WISH), 5006 E. Jelinek Avenue (WISH/STS), with the landscape plan waiver, exempting sign approval, and contingent on if they expand the impervious surface, they need to submit a stormwater management plan.***

**C. REQUEST FOR TWO PERMANENT FREESTANDING MONUMENT SIGNS AT CHANG GARDEN, 4215 BARBICAN AVENUE – (SEC. 94.157(B)(4)) (CHANG GARDEN/BUSHMAN ELECTRIC CRANE & SIGN SERVICE)**

Higgins stated that Changs' have decided not to go with Bushman Sign Company. We need to approve two pylon signs. One is along the back side of the lot facing STH-29, and one sign to be located in front of the building. Higgins stated that this is not quite a sign permit request yet. The members had some concerns and unanswered questions and felt that we should wait on this item until we get more information.

***\*M/S/P Hancock/Evans: to table the request for two permanent freestanding monument signs at Chang Garden, 4215 Barbican Avenue - (Sec. 94.157(b)(4)) (Chang Garden/Bushman Electric Crane & Sign Service).***

Stenstrom would prefer to have the tall sign visible to the rural area, not the highway.

**D. BULLSHOOTERS SALOON, 7802 MEADOW ROCK DRIVE – REQUEST TO REVISE APPROVED LANDSCAPING PLAN**

Mike Ritzel, N600 County Road D, Birnamwood, owner of Bullshooters Saloon, was present.

Ritzel stated that during the construction of his facility last spring, they ran into heavy financing when trying to comply with our spring road weight limits (it took twice as many loads, but in halves, of material to bring in on site). He stated that after all the time and cost constraints that they had to deal with, they were not able to complete their landscaping. He is asking that Plan Commission approve the landscaping the way it is now.

Higgins stated the code reads 100% landscaping. She stated that she wanted this to come back to Plan Commission for their approval, only because it was installed different from what was approved. It was discussed that he has a good amount of landscaping there already, it just is not mature yet. Evans is concerned because these are not fully matured that the snow/salt might kill them off. Higgins stated we could give him the certificate of occupancy, then wait one year to give him the completion. She said there are provisions in the code that they have to keep up on the landscaping. There was further discussion on the spring road weight limits and the financial burden that Ritzel has taken on due to that along with other factors.

The members agreed that we could give him a Certificate of Occupancy (Co), and 1 year from today, review the condition of the landscaping prior to issuing a Certificate of Completion (CoC).

***\*M/S/P Evans/Hancock: to approve Bullshooters Saloon, 7802 Meadow Rock Drive – request to revise approved landscaping plan, contingent on staff reviewing the condition of the landscaping 1 year from this approval date prior to issuing a Certificate of Completion (CoC).***

**FUTURE MEETING TOPICS**

Higgins stated that there will be Comprehensive Plan changes coming up in the near future. She is also looking for ordinances for “neighborhood vehicles”, or alternate vehicle transportation. It was mentioned that we should look into wind towers soon also.

**IV. ADJOURN**

***\*M/S/P Stenstrom/Evans: to adjourn at 7:00 p.m.***

Respectfully submitted,

Valerie R. Parker,  
Recording Secretary