

**PLANNING COMMISSION MINUTES
5500 SCHOFIELD AVENUE
WESTON, WI 54476
MONDAY, SEPTEMBER 10, 2007 - 6:00 P.M.**

I. CALL TO ORDER

Village President, Vilas Machmueller called the meeting to order at 6:00 p.m. Members present were Trustee Mark Maloney, Village DPW Keith Donner, Mary Hancock, Kim Fischer, Mike Stenstrom, and John Evans. Village Administrator, Dean Zuleger, Community Development Director, Jennifer Higgins, Building Inspector, Scott Tatro, and Recording Secretary, Valerie Parker were present. Trustees Loren White, Sharon Jaeger, and Fred Schuster were also present. About 40 audience members were also present.

Machmueller read the notices and opened the hearing.

A. OPEN HEARING – (#RZ2007-007) B-4 INVESTMENTS REZONING REQUEST FROM AG (AGRICULTURE) WITH WPD (WETLAND PROTECTION DISTRICT) TO RR (RURAL RESIDENTIAL) WITH OME (MINING EXTRACTION OVERLAY DISTRICT) AND WPD (WETLAND PROTECTION DISTRICT) – 40 ACRES ON THE NE CORNER OF THE INTERSECTION OF RYAN STREET AND SHOREY AVENUE – (PARCEL NUMBER 62.272808.16)

Tim Vreeland, 6103 Dawn Street, Jody Babl, 480 Western Road, Schofield, and Justin Cavey, Marathon County Zoning, 210 River Drive, Wausau, were present in support. They are proposing to create a ±10-acre pond on the 40-acre parcel located on the northeast corner of Ryan Street and Shorey Avenue. Because of the size and what they will be taking off the property, they need to have non-metallic mining permit. Babl stated that the Army Corps. has delineated the wetland, and that there is a small drainage way on south side. Cavey stated that Babl wants this for his own personal residence.

Donner questioned their proposal showing five phases and he wondered the time frame for restoration. It was stated that the berms will be phase 1. They are only taking out sand & gravel. There will be no hauling of rocks and no crushing going on. Donner questioned what the estimated total tonnage or volume would be. Vreeland stated that they do not have that number, but they are thinking the pond will be about 25 feet deep. Vreeland stated they have 3 to 10 years to finish the project. Vreeland stated that the sand will be used for future road projects. Cavey explained the requirement of the OME from the County. He stated that phasing the project will minimize the total area being disturbed at any one time. He discussed how the bond amount is lower if they reclaim in phases. Cavey confirmed to Donner that Babl has met the County's criteria. Cavey explained that they really can not give a firm timeline for this project because they do not know what kind of road jobs they will have in the future. Donner questioned the depth to ground water. Vreeland stated 1218 is the expected elevation for water. The ground surface is generally 1225/1230.

Mike Wildeck, 8603 Ryan Street, was present with a concern. He explained that he has a small pond to the north, which he has fish in. He is concerned that when they dig their pond (if they dewater during the mining process), it may drain his pond. Babl stated that they are not planning to dewater. Babl explained to Wildeck that he would like to meet with him in person to talk about this and he assured Wildeck that he does not want to do anything to drain Wildeck's pond. Cavey clarified that dewatering permits are through the DNR, not the County.

Maloney confirmed that the entrance to this site will be off of Ryan Street.

B. OPEN HEARING – (#RZ2007-008) FORESIGHT DEVELOPMENT, LLC, REZONING REQUEST FROM AG (AGRICULTURE) TO SR (SUBURBAN RESIDENTIAL) – 1.991 ACRES LOCATED AT 6001 WESTON AVENUE

Dean Prohaska, 3704 Weston Avenue, was present in support. He is just looking to break off 2 acres from a 17-acre parcel, located at 6001 Weston Avenue.

No one spoke in opposition.

C. OPEN HEARING – (#CPA2007-003 & #RZ2007-009) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM AGRICULTURE AND COMMERCIAL TO RECREATIONAL AND REZONING REQUEST FROM BP (BUSINESS PARK) TO PUL (PUBLIC AND UTILITY LANDS) – OUTLOT 1, WESTON BUSINESS AND TECHNOLOGY PARK – SOUTH, PROGRESS WAY/WESTON AVENUE (PARACEL NUMBER 62.0822.3.OL.1)

Higgins stated this is a staff initiated request. This is within the new Business & Technology Park – South, and will be used for conservancy lands – walking paths, etc. This will be rezoned to PUL for utilization of a park and nature conservancy.

Stenstrom questioned the type of paths. It was explained that this could also be a new location for the Raptor Education Group, of Antigo. Zuleger stated when this area was sold to the Village by the Smith family, it was intended to be for commercial lots and an area for the raptor education center.

D. OPEN HEARING – (#CPA2007-004) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENTS – FUTURE LAND USE MAP CORRECTIONS – E. EVEREST AVENUE, VALDRES SPRINGS COURT, BARBICAN AVENUE, SCHOFIELD AVENUE

Higgins stated this is also a staff initiated request. The areas noted here need to be corrected on the future land use map. E. Everest should be shown as future residential, since there is no access to the business area. The noted parcels on Valdres Springs Court was part of the original parcel but did not get changed when the parcels were broken out. A portion of the Arden Emmerich property on Schofield Avenue should be shown as commercial. The area by Christiansen trucking should be shown as commercial.

Jay Arndt, 1105 Arnold Street, Rothschild, owner of the Valdres Springs Development. He questioned the water tower lot and the lots around it. Higgins clarified that the water tower site would be public/quasi public.

Pat Kelly, 4415 E. Everest Avenue, questioned what type of residential would go in. Higgins stated it would remain R1 & RTF. He then pointed out the property at 4203 E. Everest Avenue, and questioned how many people are allowed to reside in a single-family home. He feels that there are too many people living there, with the number of cars that are always there. It was clarified that we do not mandate how many people can live within a single-family home, and that cars just need to be parked on an all-weather surface.

E. OPEN HEARING – (#CPA2007-005 & #RZ2007-010) PDM CONSTRUCTION, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL TO COMMERCIAL AND REZONING REQUEST FROM R1 (RESIDENTIAL SINGLE FAMILY) TO B3 (GENERAL COMMERCIAL) – 4004 AND 4010 E. EVEREST AVENUE

Dan Johnson, 1602 Skyline Lane, was present in support. He stated that they want to purchase this property for a future strip mall.

Evans questioned Johnson why they would build outside of the TIF District. Evens explained that the Village is trying to promote the TIF District to pay off the debt. Johnson stated that they do not own this property yet, but have an accepted offer to purchase.

Donner questioned why Johnson has not pursued any of the sites within the TIF District. Johnson answered that they were not able to come together on price with the owners.

Chris & Karen LeSage, 3902 Powers Street, were present in opposition. He feels putting a B3 use there would make a really harsh transition to the residential neighborhood.

**II. CONSIDERATION OF PLANNING COMMISSION MINUTES
A. AUGUST 13, 2007 MINUTES**

**M/S/P Hancock/Evans: to approve the Planning Commission Minutes of August 13, 2007.*

III. VISITORS**A. MOUNT OLIVE LUTHERAN CHURCH LANDSCAPING ISSUES – 6205 ALDERSON STREET****1. MARK & JOAN BERG – RESIDENTS – 2608 PARK RIDGE DRIVE**

Mark Berg, 2608 Park Ridge Drive, was present. He passed out some photographs showing the current landscaping that was put in for Mount Olive Church. He stated that the church planted arborvitae shrubs along their property line, which runs along his north and east property line. He made a verbal correction to his letter addressed to the Village of Weston Planning Commission, which he sent to the Village office a few weeks earlier, where he made a statement in that letter that the church planted rhododendron plants in between the arborvitae shrubs. He stated that it is a different plant, which he is not sure of the name, that is planted in between the arborvitae shrubs. He commented that as a result of the conditional use permit, they now have two-way traffic on three sides of their lot. He is mainly concerned about the driveway directly east of his property. He pointed out that where the driveway is now, was a residential property, and the church purchased that and made it into a driveway. He does not think the church put a very effective screen in around his property. He stated that sure, in the future, it will be covered but it currently is not screening the church traffic from his property. He is asking that we require the church to plant a more effective screen on the east side of his lot. He stated that the arborvitae shrubs was all that was discussed during the church's site plan review. Berg stated that our Zoning code 94.153(b) states "continuous screening".

Maloney stated that the intent is that this current screening will eventually cover. Evans questioned if Berg talked to the church. Berg answered that he sent them a copy of his letter. Berg stated that before the conditional use allowed the driveway to be there, the church went ahead and put a temporary driveway in. He stated that he has had to deal with the temporary driveway in from 2005 until the new driveway came in. He feels because they did this, he should be able to get better screening now. Hancock assured him that these shrubs will grow fast.

Stenstrom questioned if there was any screening between his house and the previous neighbor's house. He said just a chain link fence. Fischer questioned if Berg would be willing to put his own landscaping in for now. Berg stated that he could, but he does not think it would be right for him to have to go through the expense. Donner stated that we have seen pictures, and that yes the parking lot is closer, but now there is an architecturally treated building. He questioned if Berg felt his privacy is less? Zuleger stated that he feels for Berg, but if we do not give the trees enough spacing, they will eventually become root-bound and die. Zuleger does not think the plum bushes are sufficient, but that the arborvitae will grow. Zuleger stated an immediate screen would need to be something other than this, but that this shrubbery will fill out sooner rather than later.

2. PASTOR RAY CONNER – PASTOR OF MOUNT OLIVE LUTHERAN CHURCH – 6205 ALDERSON STREET

Pastor Ray Conner, 9406 Woodland Drive, and Neal Liebe, Liebe's Landscaping, R20315 Willow Lane, Hatley, were present. Conner stated that Berg has never come to the church to personally speak with him on his concerns and complaints. Conner stated that they always find out about Berg's complaints here (Mr. Berg does not talk with representatives of the church). Conner clarified to Berg that the plant that was planted in between the arborvitae's is called the purple leaf sand cherry. He commented that during construction they were not allowed to use the south entrance, so Berg should not have seen any construction traffic there. Conner stated that the purple leaf sand cherry will grow to be about 8 ft tall. He feels that in 2-3 years there will be very nice landscaping. He stated a privacy hedge composed of privet's could have been put in, but those are very ugly. He then explained that when the arborvitae gets to maturity, they will have to cut the purple leaf sand cherry trees down.

(Clerk's Note: Action was taken on this issue during the close of hearings.)

B. JOHN HUBER – SAM’S PIZZA, 5811 BUSINESS HIGHWAY 51 – REQUEST FOR NO CURB ON NEW PARKING LOT & USING WPS ISSUED LIGHT POLES

John Huber, owner of Sam’s Pizza, 5811 Business Highway 51, questioned the purpose of the requirement of curb & gutter on the south & north sides of his property (the east side of the property was been approved for the mountable curb for snow removal purposes), when there will be a berm there. It was explained to Huber that the purpose of the curb is to keep up the look of the landscaping and aesthetics of the lot, it protects the lawn and landscaping from being damaged by snow plows, creates a barrier for where people walk, and it directs water runoff to where it needs to go. Huber does not know why he has to go through the extra expenses. Huber pointed out that no other businesses have curb & gutter. It was clarified to Huber that properties that are upgrading (such as the Taco Johns property) are being required to put curb and gutter in on their lots. Donner stated the existing contours show the drainage flowing towards the building foundation. Huber stated that water flow will go towards the front of his building, but to the catch basins. Huber stated the snow will stored on the northeast corner of his property. Donner stated that he does not see any reason to modify the action from the last Planning Commission meeting.

There was discussion on the estimated cost for Huber to put in the curb & gutter on the north and south sides of his property (in addition to his originally planning to have curb & gutter only on the west side) Huber stated there will be about 216 extra feet of curb to pay for now. Huber stated that he was quoted a cost of about \$5,000 just for that extra curb & gutter. The members felt there must be an error in the estimate, because that estimate seemed extremely high. They advised Huber to go back to Jeff Babl and get a revised estimate.

IV. SITE PLAN REVIEW

A. TITO, INC/SAM’S PIZZA – SAM’S PIZZA PAVING, LIGHTING, AND LANDSCAPING PLANS – 5811 BUSINESS HIGHWAY 51

Higgins stated this is only on the agenda in case the Planning Commission wanted to revise their decision from last month.

**M/S/P Hancock/Stenstrom: to leave the recommendation for approval for Tito, Inc./Sam’s Pizza - Sam’s Pizza paving, lighting, & landscaping plans – 5811 Business Highway 51, as was stated at the August 13, 2007, Planning Commission meeting. Fischer abstains. Q: Hancock questioned if this approval is contingent on the lighting plan. Huber stated that WPS will have the lighting based on our standards. Higgins stated that staff can work with them Huber on the lighting, and that we still have not received the landscaping plans. It was clarified to Huber that his putting in steps were only a suggestion at the last meeting. Motion carried.*

B. MARAWOOD CONSTRUCTION SERVICES/QUALITY FOODS IGA – QUALITY FOODS IGA BUILDING ADDITION SITE PLAN (REVISED) – 6205 BUSINESS HIGHWAY 51

**M/S/P Hancock/Maloney: to approve the revised site plan for Marawood Construction Services/Quality Foods IGA – Quality Foods IGA building addition – 6205 Business Highway 51.*

C. M&E LANDSCAPING, LLC/WISCONSIN PUBLIC SERVICE – SOUTH WAUSAU GAS GATE STATION LANDSCAPING PLAN – 3602 WESTON AVENUE

Higgins stated that they are only planning to construct the berm for now. They will do site preparation and plan to build the access road. The fence will come afterwards, and they will come in later for the building and fence permits. Staff approves this.

**M/S/P Evans/Fischer: to approve the landscaping plan for M&E Landscaping, LLC/Wisconsin Public Service – South Wausau Gas Gate Station – 3602 Weston Avenue.*

D. JOE NINNEMANN CONSTRUCTION/JK ARCHITECTURAL SOLUTIONS, LLC – PALMS SUPPER CLUB FAÇADE REMODEL – 5912 BUSINESS HIGHWAY 51

Higgins stated that this is coming off the agenda due to an issue that arose with the property sale.

V. CLOSE HEARING

Maloney stated that they need to revisit Visitor A. Berg clarified where he meant the 3-way driveway.

****M/S/P Maloney/Hancock: to let the landscaping stand as was approved. Q: Zuleger stated that Berg was correct on the driveway, but that the Village took action on that matter. Zuleger asked that we give Berg the opportunity to come back in 1 year from now and again address the Planning Commission if he is not satisfied. The Planning Commission agreed.***

- A. CLOSE HEARING – (#RZ2007-007) B-4 INVESTMENTS REZONING REQUEST FROM AG (AGRICULTURE) WITH WPD (WETLAND PROTECTION DISTRICT) TO RR (RURAL RESIDENTIAL) WITH OME (MINING EXTRACTION OVERLAY DISTRICT) AND WPD (WETLAND PROTECTION DISTRICT) – 40 ACRES ON THE NE CORNER OF THE INTERSECTION OF RYAN STREET AND SHOREY AVENUE – (PARCEL NUMBER 62.272808.16)**

Machmueller closed the hearing at 7:20 p.m.

- B. CLOSE HEARING – (#RZ2007-008) FORESIGHT DEVELOPMENT, LLC, REZONING REQUEST FROM AG (AGRICULTURE) TO SR (SUBURBAN RESIDENTIAL) – 1.991 ACRES LOCATED AT 6001 WESTON AVENUE**

Machmueller closed the hearing at 7:20 p.m.

- C. CLOSE HEARING – (#CPA2007-003 & #RZ2007-009) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM AGRICULTURE AND COMMERCIAL TO RECREATIONAL AND REZONING REQUEST FROM BP (BUSINESS PARK) TO PUL (PUBLIC AND UTILITY LANDS) – OUTLOT 1, WESTON BUSINESS AND TECHNOLOGY PARK – SOUTH, PROGRESS WAY/WESTON AVENUE (PARCEL NUMBER 62.0822.3.OL.1)**

Machmueller closed the hearing at 7:20 p.m.

- D. CLOSE HEARING – (#CPA2007-004) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENTS – FUTURE LAND USE MAP CORRECTIONS – E. EVEREST AVENUE, VALDRES SPRINGS COURT, BARBICAN AVENUE, SCHOFIELD AVENUE**

Machmueller closed the hearing at 7:20 p.m.

- E. CLOSE HEARING – (#CPA2007-005 & #RZ2007-010) PDM CONSTRUCTION, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL TO COMMERCIAL AND REZONING REQUEST FROM R1 (RESIDENTIAL SINGLE FAMILY) TO B3 (GENERAL COMMERCIAL) – 4004 AND 4010 E. EVEREST AVENUE**

Machmueller closed the hearing at 7:20 p.m.

VI. NEW BUSINESS

- A. SIGN PERMIT #SP2007-045 STRATFORD SIGNS/ST. PETER LUTHERAN CHURCH PERMANENT FREESTANDING PYLON SIGN – KEY TO LIFE CHILDCARE & COMMUNITY CENTER – 3915 SANDY LANE – PROPOSED SIGN IN A PERMITTED CONDITIONAL USE AREA**

Higgins stated that this property has a conditional use to operate their Center off of Sandy Lane. So, this sign permit needs to come before Planning Commission. Higgins stated that the sign looks okay to staff, but there is a flood light on it. She stated there should be a condition that screening be put in for the flood light and that the sign be at least 5 feet from property line. She commented that their parking lot lights are on a timer, and suggested that the lights on this sign should be on a timer also.

****M/S/P Maloney/Evans: to approve the sign permit #SP2007-045 Stratford Signs/St. Peter Lutheran Church permanent freestanding pylon sign – Key to Life Childcare & Community Center – 3915 Sandy Lane – proposed sign in a conditional use area, contingent on staff recommendations (sign being at least 5 feet from the property line, the floodlights being screened from the public right-of-way with evergreen shrubs or ground cover to a minimum height equal to that of the lights, and the floodlights being placed on a timer to shut off – like their parking lights).***

B. LHM SURVEYING/BUDLESKI – CLEARVIEW HEIGHTS FINAL PLAT (TOWN OF WESTON): EAST OF CLEARVIEW DRIVE, WEST OF CTH-J, AND NORTH OF SKRZYPCHAK LANE

Mike Mosher, LHM Surveying, 4203 Schofield Avenue, Milt Olson, Town of Weston Chairman, 9805 Town Like Road, Stan Budleski, 6505 Old Costa Lane, and Dave Skrzypchak, 4106 Skrzypchak Lane, were all present.

Mosher stated that this has been on hold for almost a year now. The Village has extraterritorial zoning on this Town of Weston property. There had been issues with the wetland crossing and on a way to connect Clearview Drive and Skrzypchak Lane. Mosher stated he has a copy of the conclusion of the Army Corps. on the wetland from Gary Starzinski. He is not sure if the actual permit to cross the wetlands has been completed. He feels that if there would have been any issues with this proposed crossing, we would have heard it by now. Olson stated that the Town is in the process of obtaining the land for the road. The appraisal for the town is done, but Skrzypchak has now chosen to get his own appraisal. The roads are shown on the plat, but the Town & Skrzypchak need to get together on the price yet. Donner questioned the guarantee on the road. Olson stated that Budleski will build the road, per the developers agreement. It will be paved all the way to Gusman Road eventually, but for sure to Skrzypchak Lane. Higgins stated this approval just gives Machmueller the authorization to sign the plat. Donner wants to be sure the developer will do this. Olson assured that this is in the developers agreement. Budleski stated that he has followed all of the requirements in the past and will follow the requirements here.

****M/S/P Maloney/Stenstrom: to approve the final plat for LHM Surveying/Budleski – Clearview Heights final plat (Town of Weston): east of Clearview Drive, west of CTH-J, and north of Skrzypchak Lane, contingent on the road condemnation process being finalized and the road therefore being officially dedicated, and that the road must be built. Olson stated that they would like 2-3 years time for full completion.***

C. DISCUSSION OF KEVIN POMEROY’S PRESENTATION AT THE SEPTEMBER 6, 2007 VILLAGE BOARD RETREAT

Higgins stated this item is on tonight’s agenda to get the Planning Commission members’ opinion on Kevin Pomeroy’s presentation at the September 6th Board Retreat.

Maloney, Evans, & Hancock all thought his presentation was very thoughtful and informative. Donner stated with the sidewalk issue, how we do not mandate that sidewalks be required in residential developments. Donner stated that the presentation had us looking at smaller lots versus larger lots in residential developments. Donner said that if we want sidewalks, we should make a stand on it. Machmueller explained his thoughts on the presentation of the zoning transitions. Machmueller explained some of the history on how we got to where we are now. Donner commented on Pomeroy’s thinking that some of these transitions give the community character. Karen Lesage commented on Pomeroy’s observation that we have too much commercial. Higgins pointed out Pomeroy’s comments on reducing the street width and by planting trees in the boulevards would slow traffic down. Jaeger stated that she agreed with the members.

Zulegers stated that there are two ways to view centers and edges. Wausau would be considered a center and we would be considered an edge, and then E. Everest Avenue is an edge of the commercial area. The question was if we want a plan to soften the edge. Zuleger stated that Pomeroy suggested a mixed-use strategy for the Hoffman/Plein/Raymond area. It was stated that we want to try to blend when going from residential to commercial.

D. DISCUSSION AND ACTION ON HEARING – (#RZ2007-007) B-4 INVESTMENTS REZONING REQUEST FROM AG (AGRICULTURE) WITH WPD (WETLAND PROTECTION DISTRICT) TO RR (RURAL RESIDENTIAL) WITH OME (MINING EXTRACTION OVERLAY DISTRICT) AND WPD (WETLAND PROTECTION DISTRICT) – 40 ACRES ON THE NE CORNER OF THE INTERSECTION OF RYAN STREET AND SHOREY AVENUE – (PARCEL NUMBER 62.272808.16)

Donner questioned if the County regulates all parts of the OME. Higgins stated that since 2001, the County only has jurisdiction on the reclamation. Issues with truck traffic, noise, dust, etc. is still on the Village. Cavey stated that mining is part of a transition of a use of the land. There is a bond for the

reclamation. Stenstrom questioned that the ultimate plan for reclamation is to be a pond. Cavey stated that Babl is digging it wet. Babl stated that it will be cleaned up. Phase 1 is the berm, and they will be stripping from the phase 2 area to make that berm. Donner questioned the cross section of the pond at one point. Babl confirmed to Donner that they have no intention of quarrying. Donner questioned if once approved, if the crushing would be allowed by right. Higgins stated that part of the OME is to look over the operational plan. Donner stated that they should be able to make an estimate on the total volume that they plan to mine. He pointed out that there already is a storage site just north of here. He is just a little uneasy on the total proposed volume for removal. Donner does not feel that the digging of this pond will affect Wildeck's pond. Donner stated that he would like an estimate of volume to be removed and for the operational plan to be restricted to removal of sand and gravel only. Babl stated that he could get him numbers tomorrow. Donner is actually looking at the number of truckloads and how often that traffic will be occurring, this could cause concern on possible maintenance on the roadway there. Babl stated that this is all based on need. Cavey stated the County Board of Adjustment is looking at special exception permits which could put a condition that after so many years they need to reevaluate the progress. Babl would like to have a house built in 5 years (so the pond would be completed by then). Stenstrom clarified that we are not worried about how long it would take, but how soon. Too soon could put too much wear on our road for what we have budgeted for. Stenstrom suggested we could put a review of 1 year from now. Cavey stated that we could put a restriction on number of loads per month, week, or day. Donner questioned Babl's timeframe to start, because he would like to table this to look at this more.

****M/S/P Donner/Maloney: to table (#RZ2007-007) B-4 Investments rezoning request from AG (Agriculture) with WPD (Wetland Protection District) to RR (Rural Residential) with OME (Mining Extraction Overlay District) and WPD (Wetland Protection District) – 40 Acres on the NE corner of the intersection of Ryan Street and Shorey Avenue – (Parcel Number 62.272808.16), for Babl to bring more information in and to have him work with staff on this.***

E. DISCUSSION AND ACTION ON HEARING – (#RZ2007-008) FORESIGHT DEVELOPMENT, LLC, REZONING REQUEST FROM AG (AGRICULTURE) TO SR (SUBURBAN RESIDENTIAL) – 1.991 ACRES LOCATED AT 6001 WESTON AVENUE

Higgins stated there is an existing house that they want to rezone to allow for a CSM to break this off from the larger AG parcel. She stated that this is a single family home and there is a proposed buyer.

****M/S/P Evans/Maloney: to approve (#RZ2007-008) Foresight Development, LLC, rezoning request from AG (Agriculture) to SR (Suburban Residential) – 1.991 acres located at 6001 Weston Avenue. They went through the finding of facts and had favorable responses.***

F. DISCUSSION AND ACTION ON HEARING – (#CPA2007-003 & #RZ2007-009) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM AGRICULTURE AND COMMERCIAL TO RECREATIONAL AND REZONING REQUEST FROM BP (BUSINESS PARK) TO PUL (PUBLIC AND UTILITY LANDS) – OUTLOT 1, WESTON BUSINESS AND TECHNOLOGY PARK – SOUTH, PROGRESS WAY/WESTON AVENUE (PARACEL NUMBER 62.0822.3.OL.1)

****M/S/P Hancock/Maloney: to approve (#CPA2007-003 & #RZ2007-009) Village of Weston, request Comprehensive Plan Map amendment from Agriculture and Commercial to Recreational and rezoning request from BP (Business Park) to PUL (Public and Utility Lands) – Outlot 1, Weston Business & Technology Park - South, Progress Way/Weston Avenue (Parcel Number 62.0822.3.OL.1). They went through the finding of facts and had favorable responses. Higgins explained the process now and that the rezone will not take affect until after the Board approves the Comprehensive Plan amendments.***

G. DISCUSSION AND ACTION ON HEARING – (#CPA2007-004) VILLAGE OF WESTON, REQUEST COMPREHENSIVE PLAN MAP AMENDMENTS – FUTURE LAND USE MAP CORRECTIONS – E. EVEREST AVENUE, VALDRES SPRINGS COURT, BARBICAN AVENUE, SCHOFIELD AVENUE

****M/S/P Maloney/Stenstrom: to approve (#CPA2007-004) Village of Weston, request Comprehensive Plan Map amendments – Future Land Use map corrections – E. Everest Avenue, Valdres Springs Court, Barbican Avenue, and Schofield Avenue.***

H. DISCUSSION AND ACTION ON HEARING – (#CPA2007-005 & #RZ2007-010) PDM CONSTRUCTION, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL TO COMMERCIAL AND REZONING REQUEST FROM R1 (RESIDENTIAL SINGLE FAMILY) TO B3 (GENERAL COMMERCIAL) – 4004 AND 4010 E. EVEREST AVENUE

Zuleger suggested that we combine this issue and the upcoming items VII. B, C, & D.

****M/S/P Maloney/Hancock: to take this issue as well as agenda items VII. B, C, & D off the table.***

Zuleger stated this first one is for the Johnson family (two properties) on the west side of Camp Phillips Road and items VII. C & D are the Hoffman & Raymond properties on the east side of Camp Phillips Road. He stated that when we discuss the Hoffman & the Raymonds, that the Plein property should really be included also, we are not going to zone around that. Zuleger stated that this is mainly a policy issue with respect to the edge. We would have to change the future land use map from residential to commercial if we allow this.

Zuleger explained the economics of TIF#1 District. He explained that TIF#1 has approximately \$156 million of growth in it right now. As it is expected to fully cash flow in 2008, that is, the increment that has been developed in the TIF now is sufficient enough to pay the debt service at about \$100 or 110 percent. He explained a discussion he had with Moody's (financial advisor), about what a good cash flow ratio would be in your TIF District before you start to zone land adjacent to a TIF, that might cannibalize the growth in a TIF District. Based on our estimation on where TIF #1 increment will be, in 2008 we will cross that line of having to use capitalized interest for payments and then full debt service payment from the increment that we have generated in the TIF. So, we will have achieved that cash flow standing. Now the question is how much above cash flow do we want to put that? He has heard from people that we should be above 25% of our cash flow to make sure the TIF continues and can pay itself off, and we are hoping for an early pay off. He has also heard some communities use a 100% ratio. In terms of the impact that this property would have to the TIF, or the impact on the TIF cash flowing to pay the debt service that we created through the cash borrowing, next year we will be self-sufficient with the TIF. Zuleger stated that no other community in Wisconsin, that they have talked to, have put a financial policy in place on their TIF's. Zuleger stated that our goal was to build up the TIF as much as we could, so we could use our amendments to gradually withdraw land from the TIF, once we are sure of adequate cash flow and put that land back on the tax role.

Stenstrom questioned if Planning Commission has the authority to recommend a particular level of cash flow obtainment before we start zoning. Evans answered that the Community Development Authority does this. We just have the land use implications. Higgins stated that this policy was on the CDA agenda. Zuleger stated that Moody's cannot find an established community with this policy, and we keep hearing 110% is where we should be. Zuleger stated that there is no hard data to prove this, though. Evans questioned how to create a transition between commercial to residential. He questioned if there is a zoning more in between we should look at that. Higgins stated the B1 district (neighborhood retail & service) is a mixed use of residential and small retail. She feels that maybe we need to have that area neighborhood at an upcoming meeting to discuss this. Evans is not ready to vote one way or another tonight and agreed that we should get the neighborhood together and discuss this further. Higgins suggested we deny this and allow us to bring it back at a later date so we do not hold up the other proposed comprehensive plan amendments. Zuleger will try to get Pomeroy to come here to meet with us and help us out with this issue.

****M/S/P Evans/Hancock: to table these issues (VI. H, and VII. B, C, & D) and provide the petitioners the chance to come back.***

VII. UNFINISHED BUSINESS**A. TABLED HEARING – (#CU2007-007) SAMUELS YARD, LLC CONDITIONAL USE REQUEST TO ALLOW SCREENED OUTSIDE STORAGE OF LARGE EQUIPMENT AND TRAILERS IN A BP (BUSINESS PARK) ZONING DISTRICT – 7702 SERVICE LANE**

**M/S/P Hancock/Stenstrom: to take this issue off the table.*

Kurt Berner, Samuels Yard, LLC, 2600 Stewart Avenue, Suite 160, Wausau, WI 54401, was present. He stated that when they built their facility they left the trees up along STH-29 to act as a screen. He stated that they would be willing to put up an 8-foot slatted fence, but with this fence, they would like to be able to take the trees down along the highway in order to use that space. He stated that the dirt piles are there temporarily for a reason. Higgins stated that this property is zoned BP, outside storage is not a permitted use by right to have the material there. She stated that we are just asking for adequate screening to be supplied. Farrell & PGA are different because they already have screening all around. Donner questioned if there was some type of a lower growing screening other than the fence that could be used.

**M/S/P Evans/Hancock: to grant (#CU2007-007) Samuels Yard, LLC, Conditional Use Request to allow screened outside storage of large equipment and trailers in a BP (Business Park) zoning district – 7702 Service Lane, with the stipulation of the 8-foot slatted fence around all sides and all materials to be stored inside the fence. They went through the finding of facts and had favorable responses.*

B. TABLED DISCUSSION AND POSSIBLE ACTION ON COMMUNITY DEVELOPMENT AUTHORITY RECOMMENDED REZONING THRESHOLD POLICY FOR POTENTIAL COMMERCIAL DEVELOPMENT ALONG FRINGE LAND ADJACENT TO VILLAGE TIF DISTRICTS

See VI. H, above.

C. TABLED HEARING – (#CPA2007-001 & #RZ2007-005) GERALD & EMMA HOFFMAN, 4104 E. EVEREST AVENUE, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM FUTURE RESIDENTIAL TO FUTURE COMMERCIAL AND REZONING REQUEST FROM R1 (RESIDENTIAL SINGLE FAMILY) TO B2 (COMMUNITY RETAIL AND SERVICE) – 4104 E. EVEREST AVENUE

See VI. H, above.

D. TABLED HEARING – (#CPA2007-002 & #RZ2007-006) JOHN & PATRICIA RAYMOND, 6410 ROBIN STREET, REQUEST COMPREHENSIVE PLAN MAP AMENDMENT FROM FUTURE RESIDENTIAL TO FUTURE COMMERCIAL AND REZONING REQUEST FROM R1 (RESIDENTIAL SINGLE FAMILY) TO B2 (COMMUNITY RETAIL AND SERVICE) – 6410 ROBIN STREET

See VI. H, above.

VIII. CONSENT AGENDA ITEMS**A. STAFF APPROVED CSM #18-07 TO #19-07**

**M/S/P Stenstrom/Hancock: to acknowledge the staff approved CSM #18-07 to #19-07.*

B. STAFF APPROVED SIGN PERMITS: #SP2007-041 TO #SP2007-044, #SP2007-046 TO #SP2007-049

**M/S/P Stenstrom/Hancock: to acknowledge the staff approved sign permits #SP2007-041 to #SP2007-044, #SP2007-046 to #SP2007-049.*

IX. FUTURE MEETING TOPICS

Higgins questioned if the Comprehensive Plan Amendments should go to Village Board or wait for the tabled hearings to proceed. The members stated to go ahead and send the amendments to the Board.

X. ADJOURN

**M/S/P Stenstrom/Fischer: to adjourn at 8:45 p.m.*

Respectfully submitted,

Valerie R. Parker
Recording Secretary