

Plan Commission

January 10, 2017

Members present: O'Connor, Morrissette, Yoerg, Rhoades and Casanova

Others present: Joyce Hall, Jim Webber, Nick Ouellette, Jamie Johnson, Judy Polasky, Ralph VanKeulen, Colin Case, Dave Fodroczi, Sarah Berg, Kirk Jacobson, Mark Guenther, Hans Friese, Dennis Kroll, Dennis Darnold and others.

The meeting was called to order by Chairman O'Connor at 7:00 p.m.

A motion was made by Yoerg, seconded by Rhoades to approve the November 29, 2017 plan commission meeting minutes. **Motion carried.**

Public hearing and discussion, conditional use permit for tennis court and stadium lighting over 45 feet in height at the Hudson High School, 1501 Vine Street – Hudson School District. Chairman O'Connor called the hearing to order. Dr. Nick Ouellette, Hudson School District presented plans for the proposed tennis court and stadium lighting. Ouellette noted the general locations of the proposed tennis courts and stadium facilities. He also noted that the parking lot lighting will be under 45 feet in height and will be programmable to allow the school district to turn the lights on / off in different locations. Images of a soccer field in Waukesha and Waukesha West High School football field and track facilities were presented to indicate that the proposed lighting is generally limited to the area of the field and that flooding to adjacent properties is very limited. A board denoting the comparison of lighting facilities showed that the technology of Light Emitting Diode (LED) lighting, that is now available, will significantly reduce the glare of the proposed lighting. The light fixtures will be shrouded to eliminate the glare, Ouellette noted. He added that by setting the light fixtures higher the lighting can be directed downward further mitigating flooding and glare of the lights. Ouellette commented that he had some handouts denoting the information presented.

Darnold commented that there was a presentation at the high school tonight of the proposed addition and remodeling of high school facilities and that he is recommending that the plan commission take public comment tonight, but also allow the hearing to be recessed and carried over to the next plan commission meeting (tentatively scheduled for January 24, 7:00 p.m.) to allow anyone that was not able to attend the hearing tonight to provide an opportunity to make public comment.

Darnold noted that there were seven comments received via e-mail between December 29 and January 7 that have been provided to the plan commission members that will be entered into the public hearing record.

Judy Polasky, 718 12th Street questioned if the lights will be on all the time and why they are necessary. Is there a concern that people cannot get court time throughout the day time hours; there have been no lights on the tennis courts for the past 20 years. Why now, Polasky asked? Also, will the lights at the tennis courts and stadium be on beyond the games?

Morrisette explained that the questions may be directed to Dr. Ouellette after the public comments are received this evening.

Ralph VanKeulen, 615 Twelve Oaks Lane commented that he loves the neighborhood near the school and is very favorable of the schools, but the berm and trees located in the southwest part of the school property are protected from sound and light at this time. The school district is proposing to develop off-street parking in that part of the site and with cars parking up to or near the sidewalk. He noted that it is the preference of the Twelve Oaks Lane neighborhood to not have the berm / trees removed. If the berm is removed it will have a negative impact on the neighborhood, VanKeulen noted. He added that the neighborhood is opposed to the tennis court lighting if the berm is removed.

Darnold added that the hearing is in regard to the proposed tennis and stadium lighting, and he requested that comments be limited to that issue.

Colin Case, 1701 Stag Circle noted that his home is located directly east of the stadium facility and will be directly impacted by the proposed lighting. He noted that part of the reason he located where he is at is to be in close proximity to the high school. He requested that there be a reasonable use of the lights as to how often and when they may be used and suggested that they be used only as necessary so that it has minimal impact on the surrounding neighborhood.

Dave Fodroczi, 610 Hickory Road commented that he was at the high school presentation and missed the school district's presentation at the opening of the hearing. He asked if the presentation would be available to be reviewed on the local cable channel. Darnold responded yes. Fodroczi also asked that Darnold's recommendation, to recess the hearing to the next meeting to allow residents / interested parties to comment, be approved.

Sarah Berg, 1321 St. Croix Heights asked about the Waukesha West High photo as to how accurate that photo is of existing or proposed lighting.

A motion was made of Yoerg, seconded by Casanova to recess the hearing until the next plan commission meeting (tentatively scheduled for Tuesday, January 24). **Motion carried.**

Ouellette noted that the tennis court lights are needed to reduce the number of courts to run a tennis match and allow the events to go later into the evening hours. The lights at the tennis courts could be

programmed to automatically shut off at a specified time, say 9:30 or 10:00 p.m. He noted that the high school development plans will incorporate landscaping to help mitigate the lighting and screen the parking lot lighting from headlights. He expressed that he feels the lights themselves will not spill into the adjacent properties, but the school district will incorporate landscaping that is pleasing to the eye and is an upgrade from the existing facilities. Ouellette noted that it is not in the best interest of the school district to have the lights on when the facilities are not being used. He noted the Waukesha West football / track facility was constructed in 2016 and uses the LED technology.

Darnold asked if when the lights are on at the tennis courts will it be all six lights or can fewer be turned on. Ouellette noted he could check into having the tennis courts programmed as the parking lights are proposed to be programmed; for instance if the parking lot at the southwest corner of the site is not needed the lights can be programmed to be turned off. As to the tennis courts if all lights are not on there may be dark spots on the courts which may create a safety issue for the court users, Ouellette added.

Yoerg asked how is it determined what height is appropriate to minimize flooding. Ouellette noted that the height is based on the photometric and that the school district has asked that the stadium lights be lowered to 100 feet. To conduct competition activities the field / track must have a specified level of lighting.

Morrisette commented that he is pleased to see that the school district is trying to utilize the best technology available to minimize the lights from flooding into adjoining properties. Ouellette commented that it will be more expensive, but will be easier to manage.

Final plat, Heritage Greens Third Addition, six (6) one-family lots – Creative Homes, LLC. Darnold noted the final plat is in compliance with the conditional use permit amendment approved in 2016 and the preliminary plat approved November 29th. Darnold recommended approval of the final plat of Heritage Greens Third Addition with the condition that a surety of 120% of the estimated costs of utility and street construction; restoration of street, curb and gutter, boulevard and sidewalks; and cost of the city inspections with the final surety amount to be determined by the city engineer.

A motion was made by Yoerg, seconded by Casanova to approve the final plat for Heritage Greens Third Addition and to recommend approval to the Common Council with the condition that the plat not be executed to allow the plat to be filed at the St. Croix Register of Deeds Office until a surety of equal to 120% of the estimated costs of street and utility installation; restoration of streets, curb and gutter, boulevard and sidewalks; and costs of city inspections. **Motion carried.**

Request to rezone property at 708 Second Street from R-2, Two-Family Residential District to B-3, Central Business District and amend the 2009 Comprehensive Plan land use designation from single- and two-family residential to downtown commercial – Friese Properties. Darnold commented he has concerns of the growth of the central business district into the surrounding residential areas if the land uses are not compatible with the residential neighborhoods. The B-3, Central Business District does allow uses such as restaurants, bars, auto service, auto repair and car washes that may not be compatible with nearby residential development. He opined if the downtown commercial neighborhood is allowed to expand the uses should be limited through the creation of a new zoning district. Darnold noted that Mr. Friese proposes to develop a 6,000 sq. ft. office facility which in itself is not a concern; but if the zoning is B-3, Central Business District other uses would be allowed which may not be compatible.

Darnold suggested that the plan commission discuss items 5 and 6 on the agenda, with item 6 being the consideration of creating a new zoning district to allow the growth of the downtown commercial area including residential, office and retail uses. Building height should be limited to 35 feet for a maximum building height standard. Darnold added that on the fringe areas of the downtown that off-street parking is more of a concern because a development site is further from the public parking lots and on-street parking may be limited; thus on-site parking should be required to a greater extent than it currently is required in the B-3, Central Business District where there is an exception for the first 6,000 sq. ft. of building area.

Darnold advised the plan commission that they may recommend approval of the B-3, Central Business District zoning as requested by Friese Properties or recommend a new zoning district classification to be created which would suggest that the plan commission will recommend that the zoning be denied, or that Friese Properties withdraw the application.

Yoerg noted that a provision for off-street parking is necessary as there is limited on-street parking. Another issue is the use of alleyways for commercial uses and the impact that has on the longevity of the alleyway pavement surface. Should the residential properties have to pay to reconstruct the alleyways because of the commercial traffic, Yoerg asked, and how may that issue be addressed?

Morrisette asked if the proposed new commercial district was established to address Friese Properties' zoning request. Darnold noted that not specifically; and if the B-4 proposed district was approved, the Common Council would have control as to whether a liquor license may be issued. There is some additional control other than the zoning regulations. Darnold noted that if the city is willing to let the area of the central business district to grow that it must address what land uses will be allowed. Darnold noted that R-2, Two-Family Residential District was initially created around the central business district to allow the downtown to grow into, but did not specifically allow commercial uses.

Casanova expressed concern about delaying the Friese Properties' project, unless he may continue to make progress while the city develops the new zoning district. Darnold commented that a new application could not be made until the new zoning district would be in place which may be two to three months from now.

Hans Friese commented that he would be okay in waiting for the city to establish a new zoning district classification for the downtown commercial area, noting that he does not want to move ahead so quickly that it may disturb the neighborhood. Friese reiterated that it is his plan to construct a two-story office facility with an architectural style that will complement the neighborhood. Friese pointed to the two houses along Vine Street that they have rehabilitated to allow office use, and he felt that the aesthetics and energy efficiency has been an asset to the community. The business and employees bring value to the downtown as consumers using the restaurants and retail establishments, he added.

It was discussed whether the plan commission would forward a recommendation to deny the request to rezone the property at 708 Second Street to B-3, Central Business District and pursue the new district (B-4, Central Business District). Friese agreed to withdraw the application for rezoning. Friese asked if they would need to reapply for the rezoning to the new zoning district after it is created. Darnold answered yes. Darnold requested to receive a letter or e-mail of withdrawal of the rezoning application.

Creation of a new downtown zoning district, B-4, Central Business District. A motion was made by Casanova, seconded by Yoerg to recommend to the Common Council to set up a public hearing date in regard to establishing a new central business district classification. **Motion carried.**

Other business for information purposes only or for upcoming agenda. O'Connor noted that Denny Darnold, Secretary / Community Development Director has submitted his intention to retire. Members thanked Darnold for his years of service to the community. Darnold thanked the plan commission for their support to him and his family.

Darnold noted that the next plan commission meeting is tentatively scheduled for Tuesday, January 24, 7:00 p.m. Darnold added that the draft downtown parking study should be completed in about two weeks, and the draft plan will be presented to the Common Council and Chamber of Commerce. Darnold suggested that the plan commission attend that presentation. Another issue is that Morrissette had expressed concern of the I-94 crossing at 11th / Heggen Streets and that WisDOT does have some planning funds that may assist the city in review of that issue.

A motion was made by Yoerg, seconded by Rhoades to adjourn. **Motion carried.** 7:50 p.m.

Respectfully submitted,
Dennis Darnold, Secretary