

**Minutes of the Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, January 9, 2020
6:30 PM**

Chairman Osterman called the Plan Commission meeting to order at 6:32 P.M.

Roll Call: Present: Chairman Joseph Osterman, Plan Commission Members Ed Nelson, Chad Samanske, Mark Meyer, Jane Stadler and Bryan Oelhafen. Also present: Planners Dan Lindstrom, Rachel Holloway, Josh Langen and Deputy Clerk Natasha Girard. Absent: Supervisor Becky Plotecher.

Comments from citizens present pertaining to items on the agenda. None.

Discussion and necessary action on December 12, 2019, Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Samanske to approve the December 12, 2019 Plan Commission minutes. Seconded by Commissioner Nelson. Motion carried, 6-0.

Unfinished Business

New Business

Discussion and necessary action on the request for Jon Then, dba SPACE4U LLC, for the property located at W230N9515 Colgate Road, LSBT 0149.999 for an amended Site Plan and Plan of Operation to allow for outside storage on designated paved areas on the existing site plan.

Planner Lindstrom stated the request is for outdoor storage of large vehicles which is an allowable use per the zoning code. His only concern is that there is a clear path at all times for safe travel on the site.

Applicant Jon Then was present and stated he has two campers at the end of the paved driveway, near the tree line. He thought the outside storage was approved concurrently in his prior plan of operation approval because it is a permitted use. Plan Commission members discussed the placement and quantity of vehicles parked outside. Mr. Then stated currently there are four vehicles parked outside and there won't be more than that.

Motion by Commissioner Nelson to approve the request for Jon Then, dba SPACE4U LLC, for the property located at W230N9515 Colgate Road, LSBT 0149.999 for an amended Site Plan and Plan of Operation to allow for outside storage on designated paved areas on the existing site plan and no more than four vehicles stored outside. Seconded by Commissioner Samanske. Motion carried, 6-0.

Discussion and necessary action on the request for Hamilton School District for the property located at W220N6151 Town Line Road, LSBT 0241.997 for a sign permit to replace the existing ground monument signage.

Planner Holloway stated this is a sign permit application submitted by Jeff Grove for a new sign in front of Hamilton High School, to retrofit an existing monument sign with white LED changeable message screens on both sign faces. The submittal materials provide the following pertinent details:

- The sign will have a double-sided 10mm Electronic Message Screen that measures 53" x 99".
- The face of the signs averages approximately 8'-0" tall and 8'-3" wide.
- Gross surface area of the signs is approximately 67 square feet.
- The sign will utilize the existing brick base and existing top cabinet, with a new white LED changeable message screen.
- The sign is internally illuminated on the changeable message panel.

There are a few items the Plan Commission needs to make decisions on that require waivers or explicit approval per the sign code. First, the sign code allows for 32 feet; applicant is requesting 36 feet. Second, does the Plan Commission want to require the five feet of landscaping stated in the code? Third, the sign code states a changeable message sign cannot be within 400 feet of residential zoned property without Plan Commission approval, and there are such lands across the street in Menomonee Falls.

Jeff Grove, Hamilton School District W220N6151 Townline Road, stated the sign finally died and they are looking to replace it with a better, nicer looking sign. The message will change every 30 seconds with updating about school events; and will comply with Town regulations. Chairman Osterman stated the approval of a changeable message sign within 400 feet of residential zoned property requires a super-majority vote. Plan Commission members agreed to all of the signage requests.

Motion by Commissioner Samanske to approve the request for Hamilton School District for the property located at W220N6151 Town Line Road, LSBT 0241.997 for a sign permit to replace the existing ground monument signage subject to the following conditions:

- 1. Size of the sign be allowed to exceed the sign code allowance and be 36 square feet, rather than 32 square feet.*
- 2. Landscaping shall be installed five feet around the base of the sign.*
- 3. The changeable message sign be allowed to be within 400 feet of a residential zoned property.*

Seconded by Commissioner Meyer. Motion carried, 6-0.

Discussion and possible action regarding the potential edits to Chapter 13 - Signs of the Lisbon Municipal Code.

Planner Langen stated Vierbicher was tasked with updating the sign code for a couple of reasons. There have been Supreme Court actions regarding "content neutrality" that forced municipalities to change their sign ordinances. Another reason is to clean up the code and make it more user friendly. Planner Lindstrom noted the current code has one size standard, where different sized buildings may warrant more variety in sign size. Many of the sections were rearranged to help the reading flow. Planner Langen reviewed a few sections and gave examples of why verbiage was clarified. They also created a sign matrix that breaks down the ordinance into a chart to make the ordinance easier to understand and make signs more aesthetically pleasing. The planners are looking for feedback tonight and will bring back changes to another meeting.

Commissioner Stadler asked who or what the "Zoning Administrator" is. Planner Langen stated that will be the Planner's role. One of the main goals of the sign ordinance update is to allow the Zoning Administrator (Planner) review and approve sign permit applications provided the application meets all of the ordinance requirements. This also helps create a more defined appeals process, that if denied they could appeal to the Board of Zoning Appeals. Plan Commission discussed whether or not the Board of Appeals should hear the appeals rather than the Plan Commission. Currently sign permits are reviewed and approved by the Plan Commission, so if the Planner denies the application, the appeal should probably go to the Plan Commission.

Planner Langen reviewed other proposed changes to the sign code such as modifying the definitions to actually define signs by type and location. Then the actual size details are regulated with that specific section for that type of sign. Permanent and temporary signs needed clarification. Temporary signs will have their own section. Multi-tenant signage will be better defined. The new matrix created will help an applicant navigate the code.

Chairman Osterman stated for example, the school sign the Plan Commission just voted on could not have been approved by the Planner under the current code, but asked would it under the new code? Plan Commission discussed further whether or not a sign appeal should go before the Board of Appeals or Plan Commission. The

Planners and staff noted that having a staff approval option can lead to more people meeting the standards, especially if the standards are reasonable.

Commissioner Meyer likes the idea of staff approving signs that meet the code and doesn't like having to go to the Board of Zoning Appeals because they will wait longer to get a decision. Planner Lindstrom stated there are a few sections in the zoning code that touch on signage that conflict with the current sign code; that is the next code issue to address. The Plan Commission will have to determine which is more applicable; sign code or zoning code. Plan Commission members agreed they would like the Planners to make recommendations for the Commission to review and decide on.

Commissioner Meyer stated many times the Plan Commission required business owners to add more brick or landscaping so they could approve a larger sign. That could be hard to work around if there are two deciding bodies; the Zoning Administrator and the Board of Appeals. Planner Lindstrom stated signage is sometimes addressed as a part of the Conditional Use review by the Plan Commission, which gives the Town more control over quality. Plan Commission members agreed the Plan Commission only needs enough information to see that the sign is appropriate for the business and location. We want people to do business in the Town so it's important for the Town to be reasonable and accommodating. Less process would be better and they like the idea of using a sliding scale for the size of commercial signage based on building size, since commercial signage is most often the subject of code waiver requests. The Planners will review the sign standards for comparable communities and bring back recommendations for the Plan Commission to review.

Discussion and possible action regarding the 2020 Impact Fee Study.

Planner Lindstrom stated he and staff reviewed the existing facilities, and the population projections and identified the desired level of service for the municipality. Currently, there are 161.58 total park acres for existing residents at 15.35 per 1,000 residents. Vierbicher used the 2040 population projection of 11,920, which is an additional 1,397 residents and 621 new households. Through the Park Analysis, Vierbicher identified that Lisbon would need to develop an additional Neighborhood Park and at least one Tot Lot for future development and future population. These are in addition to the several small HOA/developer-owned tot-lots recently approved in Town subdivisions. The addition of these two parks are necessary to ensure the Town maintains the same level of service that Lisbon currently provides to residents. The Park Impact fee for each new unit is calculated at \$1,045 per new unit. 2017 Wisconsin Act 243 changed the law relating to Impact Fees. Municipalities must now provide detailed reports to impact fee payers on how they will spend the fees. The Town may fulfill this requirement by conducting an impact fee study and making it available. Act 243 also shortens the timeline for spending impact fees to eight years. Municipalities are barred from using impact fees for operations or for maintenance expenses on public facilities.

Planner Lindstrom stated some mapping issues need to be cleaned up. The Town needs to identify areas in the Town where there are residents who will use the park improvements. It doesn't make sense for a resident on one end of Town to pay for something on the opposite side of the Town. Future growth areas are around STH 165 / Hillside Road, Twin Pine Farms Phase III and the Preserve at Harvest Ridge area. The Town has a lot of parks but there are gaps in the service areas. Impact Fees cannot be spent on deficiencies, only new capital expenses. The Town already meets national park service standards so the goal is to maintain the current standard.

Based on the initial study, the building fee will go down drastically and be specific to parks but the Town may need to study other fees, for example an impact fee for water. The projected population divided by the growth rate is how much impact fee monies can be set aside for water infrastructure improvements. Chairman Osterman stated the Town is looking to build a Community Center in Community Park which will cost around \$400,000 to \$500,000. Planner Lindstrom will include that in the study and revise the numbers. The Park Impact Fee could be broken up into two fees; park acquisition and park improvement. The Town has eight years to spend the

Impact Fees so the Town could use General Fund monies for a new park (not existing) and the Impact Fees will reimburse it. The Town will eventually need a new fire station so that should also be included in the study. The Planners will come back with suggestions for the Plan Commission.

Town Planner Report

There were no appointments in December but there was one today about a possible land division near the driving range on CTH K. It was recommended the owner meets with Waukesha County and there are overlapping jurisdictions between the Villages of Merton and Pewaukee and Waukesha County. A Site Plan Amendment for a small food shelter at Ironwood will be on the next agenda.

Request from members to request items on future agendas.

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, January 9, 2020 Plan Commission Meeting at 8:15 P.M. Seconded by Commissioner Samanske. Motion carried, 6-0.

Respectfully submitted,

Gina C. Gresch, MMC/WCPC
Town of Lisbon Administrator