



Village of Weston, Wisconsin  
MEETING NOTICE

- Meeting of:** VILLAGE PLAN COMMISSION (PC) AND JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING (ETZ) COMMITTEE
- PC Members:** White {c}, Diesen, Kollmansberger, Johnson, Schuster, Stenstrom, and Zeyghami,
- ETZ Members:** Olson {c}, Christiansen, Diesen, Hull, Kollmansberger, and Stenstrom
- Date/Time:** Monday, April 11, 2016 @ 6:00 P.M.
- Location:** Weston Municipal Center (5500 Schofield Ave) – Board Room
- Agenda:** The agenda packet will be sent out 3 days prior to the meeting.
- Attendance:** Plan Commission, Joint Town & Village Extraterritorial Zoning Committee Members, and Department Directors, please indicate if you will, or will not, be attending so we may determine in advance if there will be a quorum.
- Questions:** Valerie Parker, Recording Secretary  
715-359-6114  
[vparker@westonwi.gov](mailto:vparker@westonwi.gov)

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This notice was posted at the Municipal Center and was e-mailed to local media outlets (Print, TV, and Radio) on 04/04/2016 @ 12:00 p.m.

A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above-noticed meeting in order to gather information. No actions to be taken by any other board, commission, or committee of the Village, aside from the Village Plan Commission and Joint Town & Village Extraterritorial Zoning Committee. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993).

Wisconsin State Statutes require all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up until 24 hours prior to the date and time of the meeting.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act requires that meeting or material to be in accessible location or format must contact the Weston Municipal Center, by 12 noon, the Friday prior to the meeting, so any necessary arrangements can be made to accommodate each request.



**Village of Weston, Wisconsin**  
**OFFICIAL MEETING AGENDA OF THE VILLAGE PLAN COMMISSION AND**  
**JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE**

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This meeting of the Plan Commission, composed of seven (7) members, and the Joint Town & Village of Weston Extraterritorial Zoning Committee, composed of six (6) members, will convene at the Weston Municipal Center, Board Room, 5500 Schofield Avenue, Weston, on **Monday, April 11, 2016, at 6:00 p.m.**, to consider the following matters:

**A. Opening of Session at 6:00 p.m.**

1. Joint Town & Village of Weston Extraterritorial Zoning Committee meeting called to order Olson.
2. Plan Commission meeting called to order Chairman White.
3. Clerk will take attendance and roll call.
4. Request for silencing of cellphones and other electronic devices.

**B. Public Hearings before Village Plan Commission and Joint Town & Village Extraterritorial Zoning Committee.**

5. Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.
6. Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.
7. Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.
8. Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.
9. Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.
10. Ordinance No. 16-009 An Ordinance Amending Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures.
11. Ordinance No. 16-010 An Ordinance Amending Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.
12. Ordinance No. 16-011 An Ordinance Amending Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties.
13. Ordinance No. 16-012 An Ordinance Amending Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Building for Human Habitation*.
14. Ordinance No. 16-013 An Ordinance Amending Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations*, and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties*.
15. Ordinance No. 16-014 An Ordinance Amending Figure 5.01 (1) of the Village Zoning Ordinance Entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards*.

16. Ordinance No. 16-015 An Ordinance Amending Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
17. Ordinance No. 16-016 An Ordinance Amending Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
18. Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.
19. Ordinance No. 16-021 An Ordinance Creating Section 94.4.10(13) of the Zoning Ordinance Entitled *Temporary Sales by Mobile Food Vendors* and Adding This New Temporary Land Use to the Temporary Land Use Category Within the Charts Displayed in Figures 3.04 and 3.05 of the Village Zoning Ordinance and Amending Section 94.17.04 Definitions of the Zoning Code to Create Definitions Related to This New Use.
20. Ordinance No. 16-022 An Ordinance Adopting the 2016 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.
21. Discussion and Action by Joint Town & Village of Weston Extraterritorial Zoning Committee on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.
22. Discussion and Action by Village Plan Commission on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.

**C. Public Comment – ETZ.**

23. Comments from the public on issues, which the ETZ has oversight, or on business items that might be recommended to the Board of Trustees.

**D. Consent Items – ETZ.**

24. Approve previous meeting(s) minutes from the ETZ, March 14, 2016, meeting.

**E. Adjourn ETZ.**

25. Adjourn ETZ Committee.

**F. Public Comment – PC.**

26. Comments from the public on issues, which the PC has oversight, or on business items that might be recommended to the Board of Trustees.

**G. Consent Items – PC.**

27. Approve previous meeting(s) minutes from the PC, March 14, 2016, regular meeting.

**H. New Business – PC.**

28. Discussion and Action by Plan Commission on Director's Recommendation to approve the Site Plan for Building and Parking Lot Additions at Briqs Soft Serve, 3907 Schofield Avenue (CSIT-3-16-1570), per the specifications, conditions, and limitations of the submitted staff report.
29. Discussion and Action by Plan Commission on Director's Recommendation to approve the Zoning Permit for IMR BP, 4101 Schofield Avenue (ZONE-3-16-6594), per the specifications, conditions, and limitations of the submitted staff report.

**I. Discussion and Review of Comprehensive Plan Draft Chapters.**

30. Chapter 2 Community Vision

**J. Reports from Staff.**

**31. Report from Planning and Development Director.**

**32. Staff Report on staff-approved CSM's, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies issued since last report of 03/14/2016.**

**K. Remarks from Commissioners.**

**L. Discuss items to be included for next agenda (No motions will be made, and no action will be taken related to policy affecting the Village of Weston as a result of this agenda item).**

**M. Set next regular meeting date for Monday, May 9, 2016, at 6:00 P.M.**

- SE Quadrant Open House on Monday, May 9, 2016.
  - Formal Presentation by JSD to CDA & PC from 4:30 – 5pm
  - Public Engagement Session and Open House from 5-6pm

**N. Adjourn.**

WITNESS: My signature this 8<sup>th</sup> day of April, 2016.

Valerie Parker  
Recording Secretary

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**This notice was posted at the Municipal Center, and on the Village's website at [www.westonwi.gov](http://www.westonwi.gov), and was emailed to local media outlets (Print, TV, and Radio) on 04/8/2016 @ 4:30 p.m.** A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above-noticed meeting in order to gather information. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). Wisconsin State Statutes require all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up until 24 hours prior to the date and time of the meeting. Any person who has a qualifying disability, as defined by the Americans with Disabilities Act, requiring that meeting or material to be in an accessible location or format, must contact the Weston Municipal Center at 715-359-6114, so any necessary arrangements can be made to accommodate each request.

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

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ITEM DESCRIPTION: **DRAFT ORDINANCES NO. 16-003 TO 16-005 AND 16-007 TO 16-016.**

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DATE/MTG: **PLAN COMMISSION & ETZ COMMITTEE; MONDAY, APRIL 11, 2016**

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POLICY QUESTION: **Should the Board of Trustee approve amendments to the zoning ordinance as proposed?**

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RECOMMENDATION TO: **I make a motion to endorse approval, and recommend to the Trustees.**

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**LEGISLATIVE ACTION:**

- |                                                         |                                    |                                       |
|---------------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order           | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure                    | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
- 

**FISCAL IMPACT ANALYSIS:**

- |                                                |            |
|------------------------------------------------|------------|
| <input type="checkbox"/> Budget Line Item:     | <u>N/A</u> |
| <input type="checkbox"/> Budget Line Item:     | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Expenditure: | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Revenue:     | <u>N/A</u> |
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**STATUTORY / RULEMAKING / POLICY REFERENCES:**

- |                                                     |                   |
|-----------------------------------------------------|-------------------|
| <input type="checkbox"/> WI Statute:                | _____             |
| <input type="checkbox"/> WI Administrative Code:    | _____             |
| <input type="checkbox"/> Case Law / Legal:          | _____             |
| <input checked="" type="checkbox"/> Municipal Code: | <u>Chapter 94</u> |
| <input type="checkbox"/> Municipal Rules:           | _____             |
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PRIOR REVIEW: **All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update**

**PC and ETZ review at March 14, 2016 Meeting**

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**BACKGROUND:**

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented. Ord. No. 16-006 is not included as this is something new staff has been working on with MDRoffers to address a deficiency in the new code. It does not apply in the Town area so we will not be asking them to update their ordinance at this time. All the proposed zoning amendments need to be recommended for approval by the PC and ETZ committees.

- Attachments?
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**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on **Monday, April 11, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

1. Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.
2. Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.
3. Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.
4. Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.
5. Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.
6. Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.
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The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>. Proposed Ordinances can be found on the Village's website at <http://www.westonwi.gov/509/Proposed-Ordinances>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 24<sup>th</sup> day of March, 2016

Valerie Parker  
Plan Commission and ETZ Committee Secretary



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-003**

**AN ORDINANCE AMENDING SECTION 94.3.02 OF THE ZONING ORDINANCE ENTITLED  
*TREATMENT OF ALLOWABLE USES BY ZONING DISTRICT.***

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.3.02 of the Village of Weston Zoning Ordinance entitled *Treatment of Allowable Uses by Zoning District* is hereby amended to provide as follows:

**Section 94.3.02: Treatment of Allowable Uses by Zoning District**

The allowable land uses for each standard zoning district established in Article 2 are listed in Figures 3.04 and 3.05. Article 4 contains detailed descriptions and performance standards for the land uses listed in these figures. No land use is permitted or permissible on a property unless it can be located or implemented on that property in full compliance with all applicable provisions of this Chapter, unless a variance has been granted pursuant to Section 94.16.11.

- (1) **Land Uses Permitted by Right.** Land uses listed as permitted uses (designated by the letter “P” in Figures 3.04 and 3.05) are permitted by right, subject to all applicable requirements of this Chapter and other regulations.
- (2) **Land Uses Listed as Conditional Uses.** Land uses listed as conditional uses (designated by the letter “C” in Figures 3.04 and 3.05) are allowed only by conditional use permit, subject to the procedures in Section 94.16.06, other applicable requirements of this Chapter, and other applicable regulations. Uses listed in these figures as conditional uses that were legal land uses (permitted or conditional) prior to March 18, 2015 shall not require a new conditional use permit so long as any previously approved conditions of use and site plan are followed. Any substantial modification of such use or from the previously approved condition of such use, in the determination of the Zoning Administrator, shall require application and Village consideration of a new conditional use permit under Section 94.16.06.
- (3) **Temporary Land Uses.** Temporary land uses (designated by the letter “T” in Figures 3.04 and 3.05) are allowed on a temporary basis subject to temporary use approval requirements in Section 94.16.07.

~~(4) **Unlisted Land Uses.** For land uses that do not appear to be encompassed by a land use category listed in Figures 3.04 and 3.05 the Zoning Administrator is authorized to determine that such an “unlisted” land use has the same permitted-by-right, conditional, temporary, or prohibited status of a listed land use category in a certain zoning district, based on evaluation of how the unlisted use compares to a listed land use category using the following factors:~~

- ~~(a) The relative characteristics of the unlisted land use, including equipment, processes, and employment density for business uses and population density and scale for residential uses.~~
- ~~(b) The relative amount of site or building area devoted to the unlisted land use, and the relative size, scale, and density of the use.~~
- ~~(c) The relative type and amounts of activity, as measured by traffic, loading, sales, customer type, products or services produced or sold, hours of operation, and other reasonably objective factors.~~
- ~~(d) The relative performance of the land use different standards in this Chapter, such as noise, odors, lighting, and signage.~~
- ~~(e) Any allowances or limitations under applicable Wisconsin Statutes.~~

~~Prior to making such a determination, the Zoning Administrator may seek a recommendation from the Plan Commission.~~

- ~~(5) (4) **Multiple Land Uses in Single Building or on Single Lot.** Where, in the determination of the Zoning Administrator, multiple land uses are proposed or in existence within a single building and/or on a single lot, he or she shall first make a determination whether each such use is a principal use or an accessory use. All principal uses sharing a single building and/or a single lot must be listed as either a permitted land use or a conditional land use in the associated zoning district, except in the case of legally established nonconforming uses under Article 15. If any such uses are listed as a conditional use, they shall be subject to the associated procedure requirements in Section 94.16.06.~~

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure,

land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauf, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-004**

**AN ORDINANCE AMENDING SECTION 94.4.02(4)7. OF THE ZONING ORDINANCE ENTITLED *RESIDENTIAL LAND USE TYPES - MANUFACTURED HOME COMMUNITY – PERFORMANCE STANDARDS.***

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.4.02(4)7. of the Village of Weston Zoning Ordinance entitled *Manufactured Home Community* is hereby amended to provide as follows:

**Section 94.4.02: Residential Land Use Types**

**(4) Manufactured Home Community.**

This land use is a form of residential development that is exclusively reserved for individually sold or rented pads or sites containing mobile homes and/or manufactured homes. The placement or

replacement of mobile homes, as defined in Article 17, is not permitted anywhere within the jurisdiction of this Chapter.

**Performance Standards:** The following performance standards apply to each new Manufactured Home Community established after March 18, 2015, any approved expansion or conversion to a Manufactured Home Community after such date, and each existing Manufactured Home Community to the extent determined practical by the Zoning Administrator.

- 7. Wrecked, damaged, dilapidated, or abandoned mobile or manufactured homes shall not be kept or stored upon any premise. The Building Inspector shall determine if a mobile home is abandoned, wrecked, damaged, or dilapidated to a point that makes it unfit for human occupancy without an investment in the mobile or manufactured home that is greater than 50 percent of its ~~current~~-assessed value. Whenever the Building Inspector so determines and declared a public nuisance under Chapter 50 of the Code, he or she shall notify the licensee or landowner and owner of the mobile home in writing, giving the findings upon which his determination is based and shall order such home removed or repaired to a safe and sanitary condition of occupancy.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauf, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-005**

**AN ORDINANCE AMENDING SECTION 94.6.03(4), FIGURE 6.03 OF THE ZONING ORDINANCE ENTITLED *CONDITIONAL (C), PROHIBITED (R), AND PERMITTED (P) USES IN WHP OVERLAY DISTRICTS*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Section 94.6.03(4), Figure 6.03 of the Village of Weston Zoning Ordinance entitled *Conditional (C), Prohibited (R), and Permitted (P) Uses in WHP Overlay Districts* is hereby amended to provide as follows:

Figure 6.03: Conditional (C), Prohibited (R), and Permitted (P) Uses in WHP Overlay Districts

Land Use	Status in WHP-A District	Status in WHP-B District
Animal confinement facilities	R	C
Asphalt products manufacturing plants	C	C
Automobile fueling, service, painting, repair, and/or maintenance facilities	C	P
Building materials and product sales	C	P
Buried <u>or exposed</u> hydrocarbon, <del>petroleum</del> or hazardous chemical storage tanks. Hazardous chemicals are identified by OSHA criteria under 40 CFR Part 370, <u>but not including residential LP gas tanks.</u>	R	C
Car washes	C	P
Cartage and express facilities	C	P
Cemeteries	C	C
Center-pivot or other large-scale irrigated agriculture operations	C	C
Chemical storage, sale, processing, and/or manufacturing facilities	C	C
Coal storage facilities	R	R
Composting and post-consumer material recycling and storage facilities	C	C
Dry cleaning establishments	R	C
Dumping or disposing of garbage, refuse, trash, or demolition material, including landfills but excluding composting and post-consumer recycling and storage facilities	R	R
Electronic circuit assembly plants	C	P
Electroplating plants	C	P
<del>Exposed hydrocarbon, petroleum, or hazardous chemical storage tanks, with hazardous chemicals identified by OSHA criteria under 40 CFR Part 370, but not including residential LP gas tanks.</del>	<del>R</del>	<del>C</del>
Exterminating shops	R	P
Fertilizer or pesticide manufacturing or storage, facilities	R	C
Foundries and forge plants	C	C
Industrial liquid waste storage areas, indoor.	C	C
Industrial waste storage facilities, outdoor, such as industrial lagoons and pits	R	R
Junk yards and salvage yards	R	C
Manure and animal waste storage facilities, except for animal waste storage facilities regulated by Marathon County	R	C
Metal plating, reduction, and/or refinement plants	C	P

Land Use	Status in WHP-A District	Status in WHP-B District
Mineral extraction operations	C	C
Motor and machinery service and assembly shops	C	C
Motor freight terminals, rail yards	C	C
Petroleum products processing	R	C
Pharmaceuticals manufacturing	C	C
Photography studios involving the developing of film and pictures (digital excluded)	C	P
Plastics manufacturing	C	P
Printing and publishing establishments	C	C
Private on-site wastewater treatment systems designed for 12,000+ gallons per day flow	C	C
Private on-site wastewater treatment systems on new lots under 20,000 square feet	C	P
Pulp and paper manufacturing	C	C
Rendering plants and slaughterhouses	R	R
Salt or de-icing storage facilities	C	C
Septage, wastewater, or sewage spreading, storage, treatment or disposal, outdoor, except for lagoons and pits exclusively for industrial use	R	C
Storage, manufacturing or disposal of toxic or hazardous materials not otherwise listed	R	C
Storage or processing of extremely hazardous substances, radioactive materials or substances listed in Table 1, Wis. Admin. Code NR Chapter 140. (Extremely hazardous substances are identified by SARA/EPCRA criteria under 40 CFR Parts 302 and 355.)	R	R
Underground petroleum products storage tanks, and above-ground petroleum product storage tanks greater than 660 gallons. All new or replaced tanks shall also be installed in compliance with Wis. Admin. Code SPS Chapter 10.	C	P
Woodworking, wood preserving, and wood products manufacturing	C	P

**SECTION 2:** The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

**SECTION 3: SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the

requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauf, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-007**

**AN ORDINANCE AMENDING SECTION 94.16.02(4) OF THE ZONING ORDINANCE ENTITLED *ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION*, SECTION 94.16.02(5) OF THE ZONING ORDINANCE ENTITLED *NOTICE OF PUBLIC HEARING*, SECTION 94.16.03 (4) OF THE ZONING ORDINANCE ENTITLED *ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION*, SECTION 94.16.03(5) OF THE ZONING ORDINANCE ENTITLED *NOTICE OF PUBLIC HEARING* AND AMENDING SECTION 94.16.03(7) ENTITLED *REVIEW CRITERIA FOR AMENDMENTS TO THE OFFICIAL ZONING MAP*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Section 94.16.02 (4) of the Village of Weston Zoning Ordinance entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02 (5) of the Village of Weston Zoning Ordinance entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Village of Weston Zoning

Ordinance entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03 (5) of the Village of Weston Zoning Ordinance entitled *Notice of Public Hearing* and Section 94.16.03(7) of the Village of Weston Zoning Ordinance entitled *Review Criteria for Amendments to the Official Zoning Map* is hereby amended to provide as follows:

**Section 94.16.02: Amendments to Zoning Regulations (Text Amendments)**

**(4) Zoning Administrator Review and Recommendation.**

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (6). The Zoning Administrator or designee shall inform the applicant if the application is incomplete in his or her determination.
- (b) Once the Zoning Administrator determines the application is ~~If~~ complete, the Zoning Administrator or designee shall authorize a public hearing and prepare a written evaluation of the application based on the criteria for amending the zoning regulations in subsection (7). The Zoning Administrator or designee shall forward a copy of the evaluation to the Plan Commission, Village Board, and applicant.

**(5) Notice of Public Hearing.** Following acceptance of a complete application as determined by the Zoning Administrator, the Village Clerk in coordination with the Zoning Administrator shall schedule a public hearing before the Plan Commission, to be held within 45 days after acceptance of a complete application. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23 (7)(d). The Village Clerk in coordination with the Zoning Administrator shall also send said notice to the applicant and the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

**Section 94.16.03: Amendments to the Official Zoning Map (Rezoning)**

**(4) Zoning Administrator Review and Recommendation.**

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (6). The Zoning Administrator shall inform the applicant if the application is incomplete in his or her determination.
- (b) ~~If~~ Once the Zoning Administrator determines the application is complete, the Zoning Administrator or designee shall authorize a public hearing and prepare a written evaluation of the application based on the criteria for amending the Official Zoning Map in subsection (7). The Zoning Administrator or designee shall forward a copy of the evaluation to the Plan Commission, Village Board, and applicant.

**(5) Notice of Public Hearing.** Following acceptance of a complete application as determined by the Zoning Administrator, the Village Clerk in cooperation with the Zoning Administrator shall schedule a public hearing before the Plan Commission (or Extraterritorial Zoning Committee if within the ETZ Area) to be held within 45 days after acceptance of a complete application. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23 (7)(d). The Village Clerk in cooperation with the Zoning Administrator shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality

whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

**(7) Review Criteria for Amendments to the Official Zoning Map.**

The Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) and Village Board shall utilize the following criteria when reviewing each application to amend the Official Zoning Map:

- (a) Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
- (b) Does the rezoning further the purpose and intent of this Chapter?
- (c) Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?
  1. A mistake was made in mapping on the Official Zoning Map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Village may intend to stop an undesirable land use pattern from being perpetuated.
  2. Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.
  3. Growth patterns or rates have changed, thereby creating the need for a rezoning.
- (d) Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
- (e) For applications to rezone land to a multi-family, commercial or industrial zoning district, is, or will there be, adequate public infrastructure available to accommodate the range of uses allowed in that zoning district?

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-008

**AN ORDINANCE AMENDING SECTION 94.16.06(2), (3) AND (4) OF THE ZONING ORDINANCE RELATING TO THE CONDITIONAL USE PERMIT APPROVAL PROCESS.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process is hereby amended to provide as follows:

**Section 94.16.06: Conditional Use Permits**

- (2) **Application for Conditional Use Permit.** No application for a conditional use permit shall be placed on any agenda as an item to be acted upon unless the Zoning Administrator has certified acceptance of a complete application. ~~A proposed conditional use permit may be placed on any~~

~~agenda as a discussion only item, with the permission of the Zoning Administrator, without an application.~~ Prior to publication of the required Notice of Public Hearing, the applicant shall provide the Zoning Administrator with the complete application certified by the Zoning Administrator, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Said complete application shall be comprised of all of the following:

- (a) A completed conditional use permit application form furnished by the Zoning Administrator.
- (b) A map of the subject property showing all lands for which the conditional use permit is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) that maintains that control. Said map and all its parts and attachments shall be submitted in a form that is clearly reproducible with a photocopier, and shall be at a scale that is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
- (c) A map, such as the Future Land Use Map from the Comprehensive Plan, of the generalized location of the subject property in relation to the Village as a whole.
- (d) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations.
- (e) A site plan of the subject property, with any alterations as may be proposed to accommodate the conditional use. Said site plan shall conform to any applicable requirements of Section 94.16.09. If the conditional use will make use of existing site improvements only, a site plan need only be of sufficient detail to confirm the portion of the site used by the conditional use.
- (f) Written justification for the proposed conditional use consisting of the reasons why the applicant believes the proposed conditional use is appropriate, particularly as evidenced by compliance with the approval criteria set forth in this Section.
- (g) Any other plans and information deemed necessary by the Zoning Administrator or the Plan Commission (or Extraterritorial Zoning Committee if in the ETZ Area) to ensure that the intent of the Chapter is fulfilled.
- (h) Any required fee per the fee schedule approved by the Village Board.

**(3) Zoning Administrator Review and Recommendation.**

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (4). The Zoning Administrator shall inform the applicant if the application is incomplete in his or her determination.
- (b) Once the Zoning Administrator determines that the application is ~~If~~ complete, the Zoning Administrator or designee shall authorize the public hearing and prepare a written evaluation of the application based on the criteria for evaluating conditional use permits in subsection (7) below. The Zoning Administrator shall forward a copy of the evaluation to the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area).

**(4) Public Hearing.** Following acceptance of a complete application ~~The~~ Village Clerk shall schedule a public hearing before the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) to be held within 45 days after acceptance of a complete application as determined by the Zoning Administrator. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23(7)(d).

The Village Clerk shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_

Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-009**

**AN ORDINANCE AMENDING SECTION 94.16.11(4) AND (5) OF THE ZONING ORDINANCE RELATING TO VARIANCE PROCEDURES.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures is hereby amended to provide as follows:

**Section 94.16.11: Variance Procedures**

- (4) **Application Requirements.** ~~All applications for requested variances shall be approved as complete by the Zoning Administrator a minimum of ten days prior to the initiation of this procedure. The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not~~

~~complete or does not fulfill the requirements of this Chapter, he or she shall return the application to the applicant. If the Zoning Administrator determines that the application is complete, he or she shall so notify applicant. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred. Prior to the submittal of the official notice regarding the application to the newspaper by the Village, t~~The applicant shall provide the Zoning Administrator with the complete application certified as complete by the Zoning Administrator under subsection 5(a), including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Said complete application shall be comprised of all of the following:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A map of the subject property showing all lands for which the variance is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) that maintains that control. Said map and all its parts and attachments shall be submitted in a form that is clearly reproducible with a photocopier, and shall be at a scale that is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
- (c) A map, such as the Future Land Use Map from the Comprehensive Plan, of the generalized location of the subject property in relation to the Village as a whole.
- (d) A written description of the proposed variance describing the type of specific requirements of the variance proposed for the subject property.
- (e) A site plan of the subject property, including existing conditions and proposed changes. Said site plan shall conform to those requirements of Section 94.16.09 to the extent deemed necessary by the Zoning Administrator
- (f) Written justification for the requested variance consisting of the reasons why the applicant believes the proposed variance is appropriate, particularly as evidenced by compliance with the criteria set out in subsection (7) below.
- (g) Any fee as may be required under the fee schedule approved by the Village Board.

**(5) Review by the Zoning Administrator.**

The requested variance shall be reviewed by the Zoning Administrator as follows:

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not complete or does not fulfill the requirements of this Chapter, he or she shall return the application to the applicant with explanation. If the Zoning Administrator determines that the application is complete, he or she shall certify the application as complete. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred.
- (b) Once the Zoning Administrator determines that the application is ~~When~~ complete, the Zoning Administrator or designee shall authorize the public hearing and prepare a review the application and written evaluate evaluation, including and comment on the written whether there is justification for the proposed variance based on the application and the criteria for variance approval.

(c) The Zoning Administrator shall forward the application and evaluation report to the Zoning Board of Appeals for that Board's review and action.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-010**

**AN ORDINANCE AMENDING SECTION 94.16.13(4) OF THE ZONING ORDINANCE RELATING TO CONCURRING VOTE AND DECISION OF AN APPEAL OF A ZONING INTERPRETATION.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of Zoning Interpretation is hereby amended to provide as follows:

**Section 94.16.13: Appeals of Zoning Interpretations**

- (4) **Concurring Vote and Decision.** The concurring vote of ~~four members~~ a majority vote of the members present of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of any applicant

on any matter upon which it is required to pass under the zoning ordinance or to effect any variance in such ordinance. The grounds of any such determination shall be stated.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-011**

**AN ORDINANCE AMENDING SECTION 94.16.15(2) OF THE ZONING ORDINANCE  
RELATING TO ZONING ADMINISTRATOR DUTIES.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties is hereby amended to provide as follows:

**Section 94.16.15: Zoning Administrator**

- (2) **Duties.** The general responsibility of the Zoning Administrator is to interpret and administer this Chapter and to issue permits required by this Chapter, who in addition thereto and in furtherance of said authority shall:

- (a) Determine that all detailed plans and supporting materials comply with all provisions of this Chapter.
- (b) Conduct inspections of buildings, structures, waters, and land to determine compliance with all provisions of this Chapter.
- (c) Be permitted access to premises and structures during reasonable hours to make those inspections as deemed necessary by him to ensure compliance with this Chapter. If, however he or she is refused entry after presentations of his identification, he or she may procure a special inspection warrant in accordance with Wis. Stat. § 66.0119(2).
- (d) Conduct inspections of buildings, structures, waters, and land to determine compliance with all provisions of this Chapter.
- (e) Maintain permanent and current records of this Chapter, including but not limited to all maps, amendments, conditional uses, temporary uses, sign permits, site plans, occupancy permits, variances, appeals, interpretations, and applications therefore.
- (f) Receive, file, and forward all applications for all procedures governed by this Chapter to the designated official bodies.
- (g) Investigate all complaints made relating to the location of structures and the use of structures, lands, and waters, give notice of all violations of this Chapter to the owner, resident, agent, or occupant of the premises, and report uncorrected violations to the Village Attorney in a manner specified by him.
- (h) Institute, in the name of the Village, any appropriate actions or proceedings against a violator of this Chapter, as provided by law.
- (i) Prohibit the use or erection of any structure, land, or water until he or she has inspected and approved such use or erection.
- (j) Where useful, set marks on bridges or buildings or other markers that show the depth of the regional flood, or set marks delineating the boundaries of wetlands.
- (k) Request assistance and cooperation from the Building Inspector, Police Department, Fire Department, Village Attorney, Village Engineer, Village Clerk, Village Public Works Director, and other Village staff and consultants as he or she deems necessary, either as a designee or advisor.
- (l) Make available to the public, to the fullest extent possible, all reports and documents concerning the Village's Comprehensive Plan and ordinances. In addition, information in the form of reports, bulletins, maps, and engineering data shall be readily available and widely distributed. The Village Board may set fees necessary to recover the cost of providing such information to the public.
- ~~(m) Make determinations of which land uses that are not listed in Figures 3.04 and 3.05 shall be allowed in a zoning district, per Section 94.3.02(5).~~
- ~~(m)~~ (n) Make interpretations regarding the provisions of this Chapter per Section 94.16.12.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this

Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-012**

**AN ORDINANCE AMENDING SECTION 94.3.03(13) OF THE ZONING ORDINANCE ENTITLED *UTILITY CONNECTIONS TO PRINCIPAL BUILDING FOR HUMAN HABITATION*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Buildings for Human Habitation* is hereby amended to provide as follows:

**Section 94.3.03: Standards Generally Applicable to Land Uses**

- (13) **Utility Connections to Principal Buildings for Human Habitation.** All principal buildings used for human habitation shall be provided at all times with functional connections to water, sanitary sewer, and electrical utilities. Where public water utility service is not available to an area in

the determination of the Village Public Works Director, connection to a functioning private well in accordance with Wis. Admin. Code NR § 812 shall suffice. Where sanitary sewer service is not available to an area in the determination of the Village Public Works Director, connection to a functioning private onsite wastewater treatment system approved by Marathon County shall suffice. The installation of holding tanks in the Village shall not be permitted, except in one of the following circumstances:

- (a) As a replacement on a property where there was a legal holding tank as of March 18, 2015.
- (b) As a replacement system for a private on-site wastewater treatment system only if the Marathon County Conservation, Planning & Zoning Department determines that the property is unsuitable for any other type of private on-site wastewater treatment system, including any conventional or mound system.
- (c) In other circumstances if a variance conditional use permit is applied for and granted under Section 94.16. ~~H06~~.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-013**

**AN ORDINANCE AMENDING SECTION 94.16.19(1) OF THE ZONING ORDINANCE ENTITLED *VIOLATIONS* AND SECTION 94.16.19(3) OF THE ZONING ORDINANCE ENTITLED *PENALTIES*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations* and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties* is hereby amended to provide as follows:

**Section 94.16.19: Violations and Penalties**

- (1) **Violations.** It shall be unlawful to construct, develop or use any structure, land, ~~or~~ water or air anywhere within the Village in violation of any of the provisions of this Chapter or action or order taken under this Chapter. In case of any violation, the Village may institute appropriate action or proceeding to enjoin a violation of this Chapter, including seeking abatement, removal, forfeiture,

~~penalty, citation, or some combination, as outlined in this Section. Adoption of this Section does not preclude the Village Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. the Village Board, Plan Commission, Zoning Administrator, or any person who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Chapter.~~

(3) **Penalties.** Any person, firm, or corporation who fails to comply with the provisions of this Chapter or action taken under this Chapter shall forfeit not less than \$100.00, plus ~~the~~ any applicable costs of prosecution, assessments, and court costs for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-014**

**AN ORDINANCE AMENDING FIGURE 5.01 (1) OF THE VILLAGE ZONING ORDINANCE ENTITLED *RURAL, OPEN SPACE AND RESIDENTIAL DISTRICT LOT DIMENSION AND INTENSITY STANDARDS*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards to allow for a 40 acre AR parcel to be split in two; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Figure 5.01(1) of the Village of Weston Ordinances entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards* is hereby amended to provide as attached hereto as Exhibit A.

**SECTION 2:** The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

EXHIBIT A

Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (a)	Minimum Landscape Surface Ratio (LSR)
<b>FP Farmland Preservation</b>	20 acres	300	100	N/A	N/A	N/A
<b>AR Agriculture and Residential</b>	20 acres(f)(g)	300(f)	100	N/A	1,600	N/A
<b>RR-2 Rural Residential 2 Acres</b>	2.0 acres	150	80	20%	1,600	N/A
<b>RR-5 Rural Residential 5 Acres</b>	5.0 acres	200	80	20%	1,600	N/A
<b>PR Parks and Recreation</b>	N/A	N/A	N/A	10%	N/A	75%
<b>SF-L Single Family – Large Lot</b>	20,000 sf	100	50	30%	1,000	50%
<b>SF-S Single Family – Small Lot</b>	10,000 sf	80	40	40%	800	40%
<b>2F Two Family Residential (c)</b>	10,000 sf	80 (b)	40	40%	800	40%
<b>MF Multi Family Residential (d)</b>	3,000 sf/dwelling unit	100 (b)	40	40%	10% of Lot Area	30%
<b>MH Manufactured Home</b>	5,000 sf/home (e)	50	N/A	40%	350	30%

- (a) Maximum Accessory Structure floor area may be increased by site plan approval under Section 94.16.09 and per the standards in Section 94.4.09(2).
  - (b) For zero lot line structures, each separate lot must be at least 50 feet in width.
  - (c) Single-Family Detached Residences within the 2F district shall comply with the SF-S district requirements.
  - (d) Single-Family Detached Residences within the MF district shall comply with the SF-S district requirements. Two-family Residences within the MF District shall comply with 2F district requirements.
  - (e) Total area of each “Manufactured Home Community” shall be a minimum of 10 acres.
  - (f) Instead of a 20 acre minimum lot size, land in the AR district may be developed at a density of one residential lot per 20 acres and a minimum lot size of 2.0 acres and minimum lot width of 150 feet. See Section 94.5.08 for further description and method of calculation for regulating at a one residential lot per 20 acre density in the AR district.
  - (g) Parcel size in the AR district to be calculated based on gross acreage, including roads and navigable waters within the deeded parcel. Each such parcel meets the 20 acre minimum, even if net acreage is less than 20 acres following the removal of roads and navigable waters, if such removal does not reduce the gross acreage by greater than 15% for corner parcels or 10% for all other parcels. ~~May be considered a nominal 20 acres. A nominal 20 acre parcel shall not be reduced by more than 10% and/or a 20 acre parcel located on a corner or abutting a street on two sides not reduced by more than 15% due to road right of way and survey variations.~~
- [Amended via Ord. 15-022, 10/21/2015]



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-015**

**AN ORDINANCE AMENDING SECTION 94.5.08(1)(B) AND (D) OF THE ZONING ORDINANCE RELATING TO CALCULATING MAXIMUM PERMITTED DENSITY IN THE AR DISTRICT.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District is hereby amended to provide as follows:

**Section 94.5.08: Calculating Maximum Permitted Density in AR District**

(1) **Calculation Method.** The method described in this Section shall be used to calculate the maximum permitted number of dwelling units on lands in the AR Agriculture and Residential district.

- (b) Measure Parcel/Ownership Area. Measure the “gross site area” of the individual parcel or contiguous common ownership lands, including all roads and navigable waters that are within the deed parcel.
- (d) Small Parcels. Individual, legally created parcels that are less than 20 acres in gross site area in the AR district shall be allowed a total of one dwelling unit. No further residential dwelling units or principal land uses shall be permitted while the land remains under AR zoning on individual parcels less than 20 acres.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-016**

**AN ORDINANCE AMENDING SECTION 94.16.09(4) OF THE ZONING ORDINANCE  
RELATING TO SITE PLAN PROCEDURES APPLICATION CONTENTS.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents is hereby amended to provide as follows:

**Section 94.16.09: Site Plan Procedures**

- (4) **Application Contents.** The applicant shall provide the Zoning Administrator with the complete application certified by the Zoning Administrator, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Except as otherwise allowed below or with the express approval of the Zoning Administrator, the application shall include the

following information within the site plan or in supporting documentation to be considered complete:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A title block that indicates the name, address, and phone/fax number(s) of the current property owner and/or agent(s) (developer, architect, engineer, planner) for project.
- (c) The date of the original plan and the latest date of revision to the plan.
- (d) A north arrow and a graphic scale.
- (e) A legal description or plat of survey of the subject property.
- (f) All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled.
- (g) Delineations and labels of floodplains, shoreland-wetlands, shoreland areas, steep slopes, and other natural resource areas.
- (h) All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.
- (i) All required building setback lines/minimum yards applicable to the zoning district(s), including setbacks from natural resource areas.
- (j) A grading plan at the same scale as the main site plan; showing existing and proposed grades; finish floor elevations of all existing and proposed buildings; elevations of adjacent curbs, property lines, and street center lines; and retention walls and related devices.
- (k) An erosion control plan, meeting applicable state and local requirements.
- (l) The location of existing and proposed stormwater management and structures, along with any technical data required by the Director of Public Works or designee to determine the adequacy of the proposed facilities.
- (m) Proposed land use or uses, with projected number of employees, residents, and maximum customer capacity.
- (n) All existing and proposed buildings, structures, and hard surfaced and graveled areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, ~~and~~ walls, wells (in use or abandoned), on-site waste treatment tank locations and drainage fields, labeling actual and proposed setbacks from all lot lines.
- (o) The location and dimension of all access points onto public streets.
- (p) The location and dimension of all on-site parking (and, if applicable, off-site parking), including a summary of the number of parking stalls provided versus required by this Chapter.
- (q) The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.
- (r) The location of all outdoor storage areas including dumpsters and the design and materials for all screening fences, including pre-approval from the contracted hauler on proposed design and location.
- (s) The location of all outdoor areas for daily, seasonal, or longer-term sales, display, and/or collection of merchandise, including but not limited to donation drop-off boxes and vending machines.

- (t) The location, type, height, fixture design, and cut-off angle of all exterior lighting, including a detailed photometric plan showing the distribution of light output across the property to the property lines.
- (u) A detailed landscaping plan for the subject property at the same scale as the main plan showing the location, type, and size of all proposed landscaping. All landscape plans shall be prepared by a licensed landscape architect, certified landscape designer, or another professional or individual skilled in landscape design as determined by the Zoning Administrator.
- (v) Elevation drawings, drawn to a recognized architectural scale, of proposed buildings or proposed remodeling of existing buildings to include exterior or roof mechanical equipment and lighting, and showing finished exterior treatment, with adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.
- (w) The location, type, height, size and lighting of all existing signage on the subject property, and for proposed signage to the extent practical at the time. Multitenant retail centers and group developments shall provide a sign plan for the project that:
  - 1. Meets the submittal requirements of Section 94.13.02(2).
  - 2. Includes proposed signable areas on building facades.
  - 3. Includes a group development sign with space for individual business identification if desired.
- (x) In the site plan map legend, the following additional data for the subject property:
  - 1. Proposed zoning (or existing zoning if no change)
  - 2. Lot area
  - 3. Total number and type of residential dwelling units (if applicable)
  - 4. Total gross floor area of building and outdoor storage space
  - 5. Landscape surface area, and percentage of site to be covered in green space
  - 6. Building heights
- (y) Plans and methods for fire control and suppression, which may include hydrants, sprinklers, alarms, and/or access rooms. Compliance with the Fire Code shall be required.
- (z) If hazardous materials are to be kept or stored on site, a written description of such materials and the operations involving such materials conducted on their property. The Village may also require a process safety management, risk management, containment, and emergency response program.
- (aa) Any required fee per the fee schedule approved by the Village Board.

**SECTION 2:** The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

**SECTION 3: SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances

whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT





**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on **Monday, April 11, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

1. Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.
2. Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.
3. Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.
4. **Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.**
5. Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.
6. Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.
7. Ordinance No. 16-009 An Ordinance Amending Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures.
8. Ordinance No. 16-010 An Ordinance Amending Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.
9. Ordinance No. 16-011 An Ordinance Amending Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties.
10. Ordinance No. 16-012 An Ordinance Amending Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Building for Human Habitation*.
11. Ordinance No. 16-013 An Ordinance Amending Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations*, and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties*.
12. Ordinance No. 16-014 An Ordinance Amending Figure 5.01 (1) of the Village Zoning Ordinance Entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards*.

13. Ordinance No. 16-015 An Ordinance Amending Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
14. Ordinance No. 16-016 An Ordinance Amending Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
15. Ordinance No. 16-021 An Ordinance Creating Section 94.4.10(13) of the Zoning Ordinance Entitled Temporary Sales by Mobile Food Vendors and Adding This New Temporary Land Use to the Temporary Land Use Category Within the Charts Displayed in Figures 3.04 And 3.05 of the Village Zoning Ordinance and Amending Section 94.17.04 Definitions of the Zoning Code to Create Definitions Related to This New Use.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>. Proposed Ordinances can be found on the Village's website at <http://www.westonwi.gov/509/Proposed-Ordinances>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 24<sup>th</sup> day of March, 2016

Valerie Parker  
Plan Commission and ETZ Committee Secretary



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-006

**AN ORDINANCE AMENDING SECTION 94.13.08 OF THE ZONING ORDINANCE  
ENTITLED *ONE-TIME EVENT SIGNS*.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.13.08 of the Village of Weston Zoning Ordinance entitled *One-time Event Signs* is hereby amended to provide as follows:

**Section 94.13.08: One-time Event Signs**

The following are allowable one-time event sign types and unique requirements for each type. A sign permit shall not be required except where indicated.

- (1) **Real Estate Signs.** Within each residential and rural and open space zoning district, only one on-premise real estate sign is permitted. Such sign shall be removed within 30 days of the sale or lease

of the single space it is advertising or of the sale or lease of 90 percent of the total land or space available for sale or lease on the property. Such signs shall not be located in the public right-of-way, shall not exceed 12 square feet in area and 6 feet in height in residential, rural and open space zoning districts, and 64 square feet in area and 12 feet in height in all other districts. No off-premise real estate signs, such as “open house” signs, are permitted.

- (2) **Construction or Project Identification Signs.** Such signs shall be erected no sooner than the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within 30 days of completion of such work. Construction or project identification signs shall not exceed 64 square feet in area and 12 feet in height.
- (3) **Temporary Commercial Signs and Banners.** For sales, limited time offers, grand openings, or other special events only, such signs shall not exceed 64 square feet in area and 12 feet in height if ground mounted, nor extending above the roof line if building mounted. Except as may be allowed below or by site plan approval under Section 94.16.09, no single use is permitted to display more than one temporary commercial sign or banner at a single time and no single lot is permitted to display more than two temporary commercial signs and banners at a single time. No temporary commercial sign or banner shall be placed on a lot for greater than 30 consecutive days. An advertising vehicle sign is not a permitted temporary commercial sign, but a mobile sign is permitted. A sign permit shall be required for a temporary sign serving this purpose. Does not include price or temporary item signs, as described below. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (4) **Price or Temporary Item Signs.** Signs that advertise the price of products or services offered on the premises or of special temporary goods or services being sold or offered, up to 6 square feet in area per sign face for each double sided sign, not illuminated, no more than two signs per street frontage, and no closer than five feet to any property lines. Each price or temporary sign must be removed within 24 hours of the special being sold or offered, and within 30 days of its placement on the property in any case. Any temporary sign not meeting these limitations but serving a similar purpose shall instead be classified as a temporary commercial sign or banner.
- (5) **Temporary Individual Residential Signs.** Not larger than 12 square feet each, to advertise garage sales, yard sales, or similar merchandise sales during the time the sale is taking place. Such signs shall not be erected more than 1 day before the event and shall be removed within 1 day after the event.
- (6) **Temporary Signs for Events of Public Interest.** For a temporary event of public interest hosted by and/or held at a governmental entity, community organization, or institutional facility (e.g., farmers market, fair operated by a nonprofit organization), two signs of up to 32 square feet each may be located upon the site of the event. Additional off-premise signs shall be allowed, up to one per premise, and up to 12 square feet per sign. Temporary Signs for Events of Public Interest shall not be erected more than 30 days before the event and shall be removed within 7 days after the event. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (7) **Political/Election Signs.** Temporary political signs are permitted without restriction so long as they locate per the requirements of this Article, including not being allowed within the public right-of-way. Signs promoting a candidate or position on an issue for an upcoming election may not be placed in a manner that would impede vehicular or pedestrian safety, must be outside of required vision triangles, and must meet the requirements of Wis. Stat. Chapter 12.

- (8) **Personal Greeting or Congratulatory Signs.** Permitted for up to 30 days, with such signs not greater than 6 feet in height in residential districts and 12 feet in height in all other districts if ground-mounted, nor extending above the roof line if building mounted.
- (9) **Temporary Window Signs.** Signs temporarily affixed to the inside of a window that advertise commercial situations relating to goods or services sold on premises shall be allowed without restriction on quantity or coverage, provided that they do not interfere with other State and Federal code requirements or public, health, safety, or welfare. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (10) **Commercial Sign Pro Tempore.** A freestanding sign that advertises a new business, that is installed on an initial and temporary, non-permanent basis, longer than a 30-day period. Sign dimensions shall not exceed those set forth in Section 94.13.07(7) listed under the associated zoning district. This sign type is only valid from November 1<sup>st</sup> to May 1<sup>st</sup>. No single use is permitted to display more than one commercial sign pro tempore. An advertising vehicle sign is not a permitted temporary commercial sign, but a mobile sign is permitted. If a portable variable message sign (VMS) is used as a commercial sign, then the regulations in Section 94.13.04(4) shall also apply. This sign type does not include price or temporary item signs or temporary commercial signs and banners as described above. A sign permit shall be required for both a commercial sign pro tempore serving this purpose and a permanent freestanding sign. This sign type may only be applicable in the following additional circumstances:
- (a) The sign is a part of an approved site plan for the purpose of new construction;
  - (b) A freestanding sign is currently not installed on the premise; or
  - (c) A non-conforming permanent, freestanding sign is being removed and replaced with a new permanent, freestanding sign in conformance with this Chapter.

**SECTION 2:** The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

**SECTION 3: SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 4: EFFECTIVE DATE.** This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauf, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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REQUEST FROM: **JARED WEHNER, ASSISTANT PLANNER**

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ITEM DESCRIPTION: **ORDINANCE NO. 16-021 AN ORDINANCE CREATING SECTION 94.4.10(13) OF THE ZONING ORDINANCE ENTITLED *TEMPORARY SALES BY MOBILE FOOD VENDORS* AND ADDING THIS NEW TEMPORARY LAND USE TO THE TEMPORARY LAND USE CATEGORY WITHIN THE CHARTS DISPLAYED IN FIGURES 3.04 AND 3.05 OF THE VILLAGE ZONING ORDINANCE AND AMENDING SECTION 94.17.04 DEFINITIONS OF THE ZONING CODE TO CREATE DEFINITIONS RELATED TO THIS NEW USE.**

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DATE/MTG: **PLAN COMMISSION & ETZ COMMITTEE, MONDAY, APRIL 11, 2016, 6:00PM**

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POLICY QUESTION: Should the Village of Weston pursue an ordinance to include mobile food vending units as part of the zoning and licensing codes, which allows for their operation within the confines as the draft ordinance is written.

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RECOMMENDATION TO: I make a motion to endorse approval, and recommend to the Trustees.

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LEGISLATIVE ACTION:

- |                                                         |                                    |                                       |
|---------------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order           | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure                    | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
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FISCAL IMPACT ANALYSIS:

- Budget Line Item: None
- Budget Line Item: \_\_\_\_\_
- Budgeted Expenditure: \_\_\_\_\_
- Budgeted Revenue: \_\_\_\_\_
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STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: \_\_\_\_\_
- WI Administrative Code: \_\_\_\_\_
- Case Law / Legal: \_\_\_\_\_
- Municipal Code: DRAFT: 94.4.10(13) and 18.148
- Municipal Rules: \_\_\_\_\_
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PRIOR REVIEW: PC and ETZ review at March 14, 2016 Meeting

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BACKGROUND:

Last year, staff was approached by several people wanting to operate a mobile food vending unit within the Village. This has become an increasingly popular food option for people around Central Wisconsin. To be pro-business, staff moved forward with compiling a draft ordinance to allow for such a use within the Village. It is important that the Village allows for these uses, as for many of these small business owners it is a stepping stone to owning and operating their own restaurant. If and when they choose to make that big step, staff hopes that with by welcoming this use in the Village the

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business owner would choose Weston for their brick and mortar location. Should this move to the Board for approval, staff will be also forwarding changes to Section 18 of the Municipal Code.

Attachments: Draft Ordinance Sections 18.148 and 94.4.10(13).



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on **Monday, April 11, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

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15. Ordinance No. 16-021 An Ordinance Creating Section 94.4.10(13) of the Zoning Ordinance Entitled Temporary Sales by Mobile Food Vendors and Adding This New Temporary Land Use to the Temporary Land Use Category Within the Charts Displayed in Figures 3.04 And 3.05 of the Village Zoning Ordinance and Amending Section 94.17.04 Definitions of the Zoning Code to Create Definitions Related to This New Use.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>. Proposed Ordinances can be found on the Village's website at <http://www.westonwi.gov/509/Proposed-Ordinances>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 24<sup>th</sup> day of March, 2016

Valerie Parker  
Plan Commission and ETZ Committee Secretary



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-021**

**AN ORDINANCE CREATING SECTION 94.4.10(13) OF THE ZONING ORDINANCE ENTITLED *TEMPORARY SALES BY MOBILE FOOD VENDORS* AND ADDING THIS NEW TEMPORARY LAND USE TO THE TEMPORARY LAND USE CATEGORY WITHIN THE CHARTS DISPLAYED IN FIGURES 3.04 AND 3.05 OF THE VILLAGE ZONING ORDINANCE AND AMENDING SECTION 94.17.04 DEFINITIONS OF THE ZONING CODE TO CREATE DEFINITIONS RELATED TO THIS NEW USE.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has been tasked to create regulations for temporary sales of mobile food vendors in the Village; and

WHEREAS, Village Staff is proposing amendments to Chapter 94 Zoning and Chapter 18 Businesses to provide regulations for temporary sales of mobile food vendors; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 94 Zoning Ordinance is hereby amended to provide as follows:

**Section 94.4.10: Temporary Land Use Types**

(13) **Temporary Sales by Mobile Food Vendors**

Includes the short-term sale of products and foods outside the confines of a building. Foods and beverages are made by the licensed mobile food vendor. Examples of this land use category include, but are not limited to, mobile retail food establishment, temporary retail food establishment, pushcart, ice cream vendor and temporary food stands. This category does not include “Seasonal Sales of Farm Products” (including farmers’ markets), “Drive-in or Drive-through Sales or Service,” or licensed mobile food vendors associated with a licensed and approved “Outdoor Assembly or Special Event.”

**Performance Standards:**

1. Each such use shall require the issuance of a “Mobile Food Vendor” License from the Village Clerk per Section 18.148 of the Municipal Code.
2. Vending shall only be permitted to operate between the hours of 7:00 a.m. and 30 minutes after the provided closing hours for Class “B” licensed alcohol establishments as provided in Wis. Stat. §125.32(3).
3. No mobile food vending unit may be set up at any one location for more than a 7-day period. Mobile food vending units that operate out of a motorized vehicle shall be parked in a parking stall overnight as to not inhibit traffic flow.
4. All mobile food vendor units shall be located on a hard or gravel surface, as defined by this Chapter.
5. All mobile food vendor units shall adhere to the setbacks of the hard or gravel surface of the respected zoning district as defined in Figure 5.02(2) Non-residential District Setbacks and Height Standards within this Chapter.
6. Written permission from the property owner or designee granting the permission to vend food from a mobile food vending unit on their property.
7. No mobile food vendor unit shall be located or operate within a rural, open space or residentially zoned district, with the exception of the PR – Parks and Recreation district or unless the mobile food vendor is identified under Section 18.148(d)(2) of Licensing.
8. No mobile food vendor unit shall be located or operate within the right-of-way, which includes, but not limited to, the street and sidewalk, with the exception of a mobile ice cream vendor. No vending shall be made in a public street from a vehicle or other on-street unit except from the curbside of said vehicle or on-street unit. Vehicle or pedestrian flow shall not be impeded in any way. All vending from the right-of-way shall cease at sunset.
9. No mobile food vendor unit shall be located within 10 feet of a fire hydrant or designated bus stop and shall not be located within the vision triangle as described in Chapter 71.
10. No mobile food vendor unit shall be located on the same parcel or any adjacent parcel where a business is selling the same or similar products during the hours of operation of said business, unless written permission is granted by the owner of said business and such documentation is provided with the required application.
11. No mobile food vendor unit shall be located or operating within 1000 feet of school property during school hours, unless written permission is granted by the school superintendent or designee and such documentation is provided with the required application.

12. It shall be prohibited for any mobile food vendor units to be connected to any public source of water, sewer or electricity.
13. The utilization of public property, such as light poles, utility pole, planters is prohibited.
14. The utilization of a drive-up or drive-through window for motorized vehicles is prohibited.
15. The licensee or designated operator of the mobile food vendor unit shall be present at all times during which food is being displayed and sold, except that the operator may leave his/her vending location and mobile vending unit unattended during lawful vending hours for a maximum of 30 minutes per day.
16. The Everest Metropolitan Police Department or the Village shall have the authority to remove or cause the removal of any mobile food vendor unit, any of its accessories or product that is in violation of this chapter or poses a risk to the health, safety or welfare of the general public. In addition to any forfeiture that may be imposed, the violator shall also be liable for any removal, towing and storage charges incurred by the Village or any of its associated agencies as a result.
17. Any signs that are attached to the mobile vending unit are exempt from the requirements of filing a sign permit, but shall adhere to all regulations within Article 13.

**Section 94.3.04: Allowable Uses in Rural, Open Space and Residential Zoning Districts**

**Figure 3.04: Allowable Uses in Rural, Open Space and Residential Zoning Districts**

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use				
Land Use Category (#) Land Use Type		Zoning District (see key at end of figure)								
		FP	AR	RR-2; RR-5	PR	SF-L	SF-S	2F	MF	MH
<b>Temporary Land Uses</b> (see Section 94.4.10 for descriptions and standards for each land use)										
(1)	Temporary Outdoor Sales				T					
(2)	Garage, Yard, Estate, and In-Home Sales	T	T	T		T	T	T	T	T
(3)	Outdoor Assembly or Special Event	T	T	T	T	T	T	T	T	T
(4)	Contractor's Project Office	T	T	T	T	T	T	T	T	T
(5)	Contractor's On-Site Equipment Storage Facility	T	T	T	T	T	T	T	T	T
(6)	Relocatable Building	T	T	T	T	T	T	T	T	T
(7)	On-Site Real Estate Sales Office		T	T	T	T	T	T	T	T
(8)	Seasonal Outdoor Sales of Farm Products	T	T		T					
(9)	Temporary Portable Storage Container	T	T	T	T	T	T	T	T	T
(10)	Temporary Shelter	T	T	T	T	T	T	T	T	T
(11)	Temporary Agricultural Structure	T	T							
(12)	Temporary Unscreened Storage									
(13)	Temporary Sales by Mobile Food Vendors				T					



P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category		Zoning District (see key at end of figure)						
(#)	Land Use Type	INT	B-1	B-2	B-3	BP	LI	GI
<b>Key to Zoning Districts:</b>				B-3 = General Business				
INT = Institutional				BP = Business Park				
B-1 = Neighborhood Business				LI = Limited Industrial				
B-2 = Highway Business				GI = General Industrial				

**Section 94.17.04: Definitions**

**Farmers’ Market:** The days the Village of Weston provides a time and space for vendors to peddle, vend, sell, serve, display, offer to sell or give away a grown or homemade good, product, food or beverage.

**Mobile Food Vending Unit:** Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, pedal cart, stand, display, carried container, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which food and/or beverages are being peddled, vended, sold, served, displayed, or offered for sale or given away. This definition does not include a mobile wholesale delivery unit, a vehicle which is used solely to transport or deliver food, or a common carrier regulated by the state or federal government. See section 94.4.10(13).

**Mobile Food Vendor:** means a person who peddles, vends, sells, serves, displays, offers to sell or give away food or beverages from a mobile food vending unit.

**SECTION 2:** The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

**SECTION 3: SEVERABILITY.** If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 4: EFFECTIVE DATE.** This ordinance shall take effect upon approval and publication.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_  
Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

DRAFT

## ARTICLE IX. MOBILE FOOD VENDORS

### Section 18.148. Mobile Food Vendors License.

- (a) **Purpose.** It is a lawful purpose of the board to enact regulatory ordinances protecting and promoting the general welfare, health and safety of its citizens. The board deems it necessary to require licensing and regulation of Mobile Food Vendor units.
- (b) **Definitions.** The following definitions shall apply in the interpretation and enforcement of this Article:
- (1) “Charitable Organization” means any patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, person, partnership, association or corporation that is validly registered under Wis. Stat. §440.42.
  - (2) “Farmers’ Market” means the days the Village of Weston provides a time and space for vendors to peddle, vend, sell, serve, display, offer to sell or give away a good, product or food.
  - (3) “Licensee” means an applicant who has obtained a license to conduct a mobile food vending operation pursuant to this Article.
  - (4) “Mobile Food Vending Unit” means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, pedal cart, stand, display, carried container, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which food and/or beverages are being peddled, vended, sold, served, displayed, or offered for sale or given away. This definition does not include a mobile wholesale delivery unit, a vehicle which is used solely to transport or deliver food, or a common carrier regulated by the state or federal government.
  - (5) “Mobile Food Vendor” means a person who peddles, vends, sells, serves, displays, offers to sell or give away food or beverages from a mobile food vending unit.
  - (6) “Public Streets” used in this Article means any highway, street, or alley located within the corporate limits of the Village of Weston.
  - (7) “School Property” means all property owned or operated by a public school as defined in Wis. Stat. §115.01(1) or owned or operated by a private school as defined in Wis. Stat. §118.165, grades kindergarten through twelve (12).
  - (8) “Sidewalks” includes paved walkways and boulevards within the right-of-way within the corporate limits of the Village of Weston.
  - (9) “Vending” means peddle, vend, sell, serve, display, offer to sell or give away food or beverages.
- (c) **License Required.** It shall be unlawful for any person or persons to operate a mobile food vendor unit, except as provided within this Article, and without first having obtained a license from the Village Clerk. No license to operate a mobile food vendor unit shall be issued without the Village Board of Trustee’s approval.
- (d) **Exemptions.** The following mobile food vendors may vend without a license, but are subject to the regulations set forth under Section 94.4.10(13) of the zoning code:

- (1) A person(s), on behalf of a charitable organization, selling individually wrapped, sealed food or beverage items that are prepared and packaged by a licensed food processor.
  - (2) A person(s), under the age of 18, operating a “lemonade stand” or the equivalent thereof on privately owned, residential use property.
  - (3) A person(s), during the Village’s designated Farmers’ Market days, selling food or beverages made by said person(s).
- (e) **Application.** All applicants shall submit a sworn application on a form provided by the Clerk, which shall require, at a minimum, the following information:
- (1) Name, address, telephone number, date of birth, email address and Wisconsin Drivers’ License number of the applicant and all operators.
  - (2) Name, address, telephone number and Wisconsin Drivers’ License number of the person(s), firm, association or corporation that the applicant and operators represent or is employed by.
  - (3) A statement of whether the applicant has been arrested or convicted of any crime or ordinance violation together with the nature of the offense and the place of conviction.
  - (4) Make, model and license number of any vehicle to be used or in association with the use by the applicant or operators of the conduct of the business.
  - (5) A photograph of the unit and a drawing, including the dimensions, of the mobile food vending unit, along with identification and depiction of all supporting features including, but not limited to, umbrella, awning and waste receptacle.
  - (6) A copy of the current Marathon County Health Department Certificate.
  - (7) A copy of the current State of Wisconsin Seller’s Permit.
- (f) **Vehicles.** Any vehicle or other street unit used for vending food in any public right-of-way must be designed and constructed specifically for the purpose of vending such food products. A mobile vendor vending from a mobile food vending unit from a vehicle or other on-street unit must obtain all necessary approvals from the SAFER fire district. All documentation of approval must be submitted with the application.
- (1) Any motorized vehicle used in the vending on public street shall have the appropriate and valid vehicle registration as required under Wis. Stat. §341 and its operator shall have and maintain a valid Wisconsin Driver’s License at all times.
  - (2) A mobile vendor and any vehicle or other on-street vending unit in any public street shall comply with all state and municipal traffic and parking laws at all times.
- (g) **Agent.** A licensee may be a corporation, cooperative or partnership; however, the application and license shall designate a primary individual, the agent, who is regularly involved in all phases of the operation of the mobile food vendor unit and who is responsible for the mobile food vendor unit. Such corporation, cooperative or partnership shall be liable for the acts or omissions of its supplemental vendors, but such liability shall not relieve any individual supplemental vendor from liability from his/her own acts or omissions.
- (h) **Age.** All applicants must be of at least 18 years of age at the time of the submittal of the application.
- (i) **Insurance.** An applicant must have in force adequate liability insurance and must agree to

indemnify, defend and hold the Village, its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Village as a result of any injury to or death of any person or damage or property caused by or resulting from the activities for which a license may be granted. As evidence of liability insurance, the applicant shall furnish a Certificate of Insurance, on a form acceptable by the Village, evidencing the existence of commercial general liability insurance naming the Village of Weston, its employees and agents as additional insured with minimum limits of one million dollars (\$1,000,000.00) in the aggregate. Whenever such a policy is cancelled, not renewed, or materially changed, the insurer and the licensee shall notify the Village by certified mail.

- (1) All motorized vehicles used in the operation of the mobile food vendor, vending from in any public street, shall have in effect motor vehicle liability insurance, as required under Wis. Stat. §344.62 and in a minimum amount of one million dollars (\$1,000,000.00). Proof of such insurance shall be provided at the time of application. Whenever such policy is cancelled, not renewed, or materially changed, the insurer and the licensee shall notify the Village by certified mail.
- (j) **Fees.** The applicant shall pay a fee as set forth within the Village Fee Schedule. The license shall be paid at the time the application is filed with the Village Clerk. Fees will not be reimbursed for applications that have been denied or that have been withdrawn after the required background check has been completed.
- (1) Any applicant conducting business on behalf of a not-for-profit or representing a not-for-profit shall be exempt from any fees, but are subject to the regulations set forth in this Article. Proof of 501(3)(c) federal tax-exempt status must be filed with the application at the time of submittal.
- (k) **Term.** Licenses shall be issued on an annual basis beginning on April 1 and expiring on March 31, or a 6-month basis beginning on April 1 and expiring on September 30 or a beginning on October 1 and expiring on March 31, subject to subsection (k). There shall not be prorated fees or other reductions for applications.
- (l) **Number.** No more than twenty (20) licenses shall be issued each year by the Village. Licenses shall be issued on a “first-come/first-serve” basis, provided that the applicant meets the requirements of this Article. No person may hold more than one license per licensing period.
- (m) **Investigation.** Upon receipt of an application and fee, the Village Clerk shall refer the application to the Chief of Police or the appointed designee, as hereby referenced to in this section as the Chief of Police. The Chief of Police shall make an investigation of the accuracy of the statements made in the application and determine whether the applicant has been convicted of felony, misdemeanor, statutory violation punishable by forfeiture, or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor, or other offense substantially relate to the circumstance of the permitted activity, and, if so, the nature and the date of the offense and the penalty assessed.
- (n) **Approval.** Upon the completion of an investigation, the Chief of Police shall submit a report regarding the fitness of the applicant to conduct the proposed business based on the accuracy or omission of the statements made in the application. The Chief of Police shall return the application to the Village Clerk for the referral to the Community Life and Public Safety Committee, who shall make the recommendation of action to the Village Board. Upon the return of the application from the Village Board, the Clerk shall either issue the license to the applicant or notify the applicant by mail, or email, and in writing that the application was denied, along with the reasons therefore, based on the approval or denial, respectively.
- (o) **License.** Upon the approval of the license by the Village Board, compliance with this Article and any other applicable ordinances, a license will be issued to the mobile food vendor. The possession of a license by a mobile food vendor does not, in and of itself, entitle a vendor to the use of any specific

vending site on a specific day or entitle a vendor to a minimum number of vending days during the licensing period.

- (1) Licenses shall include information deemed necessary by the Village Clerk and shall contain at a minimum, the name, address, telephone number and the principal operator of the mobile food vending unit, date of issuance, and expiration date.
- (2) Every mobile food vendor shall prominently display the license at all times in a conspicuous place, that is unblocked from public view on the mobile food vending unit. Licenses issued under this Article are non-transferable to another mobile food vendor. A mobile food vendor may transfer its license to another mobile food vendor unit, provided the applicant updates the license application and the mobile food vending unit meets the requirements set forth in the Article and under Section 94.4.10(13) of the zoning code. A mobile food vendor may not operate more than one mobile food vendor unit within the Village at any one time.

(p) **Appeals of Denial.** The applicant may appeal the denial of the license through the appeal procedure provided by ordinance or resolution of the Village Board, or if none has been adopted, then under the provisions of Wis. Stat. §§68.07 through 68.16.

(q) **Suspension, Revocation or Non-Renewal.**

- (1) The Community Life and Public Safety Committee may make a recommendation to suspend, revoke or fail to renew a license issued under this Article to the Village Board. Cause for suspending, revoking or non-renewal of a license shall include one of the following reasons:
  - i. Violation by licensee, its manager or an employee of a provision of this Article, Chapter 94 or any other municipal ordinance applicable to the business of the licensee.
  - ii. Violation of the Marathon County Health Department, the State food and health regulations, or any other regulations relating to the handling and serving of food to the general public.
  - iii. Fraud, misrepresentation or false statements contained in the license application submitted under this article or made in carrying on the business of the licensee.
  - iv. Conviction of the licensee, its manager, or an employee of a felony or misdemeanor substantially related to the mobile food vending operation.
  - v. Conducting mobile food vending operations in such a manner as to constitute a menace to the health, safety and welfare of the general public.

(2) Appeal of the decision of the Village Board appeal the denial of the license through the appeal procedure provided by ordinance or resolution of the Village Board, or if none has been adopted, then under the provisions of Wis. Stat. §§68.07 through 68.16.

(3) No applicant who has had a license denied, or licensee who has had their license suspended, revoked or non-renewed may make any further application for a license under this Chapter for a one-year period.

(r) **Penalties.** Any person violating this Article shall:

- (1) Upon conviction for a first offense, forfeit \$100.00, together with the cost of prosecution. Each and every day during which any such violation continues shall constitute a separate violation;

(2) Upon conviction for a second offense or subsequent offense, forfeit \$200.00, together with the cost of prosecution. Each and every day during which any such violation continues shall constitute a separate violation.

(s) ***Severability.*** If any provision or portion of this Article is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

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ITEM DESCRIPTION: **ORDINANCE NO. 16-022 AN ORDINANCE ADOPTING THE 2016 OFFICIAL ZONING MAP AND OFFICIAL EXTRATERRITORIAL ZONING MAP FOR THE VILLAGE OF WESTON.**

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DATE/MTG: **PLAN COMMISSION & ETZ COMMITTEE; MONDAY, APRIL 11, 2016**

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POLICY QUESTION: **Should the Board of Trustee approve the zoning map as presented as the official zoning map and official extraterritorial zoning map for the Village of Weston?**

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RECOMMENDATION TO: **I make a motion to endorse approval, and recommend to the Trustees.**

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**LEGISLATIVE ACTION:**

- |                                                         |                                    |                                       |
|---------------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order           | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure                    | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
- 
- 

**FISCAL IMPACT ANALYSIS:**

- |                                                |            |
|------------------------------------------------|------------|
| <input type="checkbox"/> Budget Line Item:     | <u>N/A</u> |
| <input type="checkbox"/> Budget Line Item:     | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Expenditure: | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Revenue:     | <u>N/A</u> |
- 
- 

**STATUTORY / RULEMAKING / POLICY REFERENCES:**

- |                                                     |                           |
|-----------------------------------------------------|---------------------------|
| <input checked="" type="checkbox"/> WI Statute:     | <u>§§ 62.23 and 61.35</u> |
| <input type="checkbox"/> WI Administrative Code:    | <u></u>                   |
| <input type="checkbox"/> Case Law / Legal:          | <u></u>                   |
| <input checked="" type="checkbox"/> Municipal Code: | <u>Chapter 94</u>         |
| <input type="checkbox"/> Municipal Rules:           | <u></u>                   |
- 
- 

PRIOR REVIEW: **None**

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**BACKGROUND:**

At the time the current official zoning map for the Village and ETZ area was approved in March 2015, the map did not include the mapped shoreland overlay district for the Village or Town of Weston. The new proposed zoning map includes this overlay and also includes all the rezones and all the updates to parcels that have over the last year. Adopting the map as the 2016 Official Maps will give us a historical map for the year 2016. The plan going forward is to adopt a new zoning map each year in the first quarter of the year. This new map also includes the Town Zoning on it that was approved this past January for aid in displaying the zoning of the 3 entities to the public. Going forward the approval date of each zoning map (Town, Village and ETZ) will be shown on the map.

- Attachments?
- 
-



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARING**

**ADOPTION OF 2016 OFFICIAL ZONING MAP AND OFFICIAL EXTRATERRITORIAL  
ZONING MAP FOR THE VILLAGE OF WESTON**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning (ETZ) Committee, on **Monday, April 11, 2016, at 6:00 p.m.**, or as soon thereafter as possible, in the Village Board Room of the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476, to hear testimony relative to the adoption of the Official Zoning Map and the Official ETZ Map for the Village of Weston. All persons owning property and all interested parties in the Village of Weston and ETZ Area of the Town of Weston are invited to attend the public hearing. The purpose of this hearing is to add the Shoreland Overlay Zoning District to the Village of Weston Official Map and to add the Marathon County Shoreland Zoning District to the Official Extraterritorial Zoning Map for the Village of Weston.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>. Proposed Ordinances can be found on the Village's website at <http://www.westonwi.gov/509/Proposed-Ordinances>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission and ETZ Committee Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 24<sup>th</sup> day of March, 2016

Valerie Parker  
Plan Commission and ETZ Committee Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, March 28, 2016 and Monday, April 4, 2016.



**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 16-022**

**AN ORDINANCE ADOPTING THE 2016 OFFICIAL ZONING MAP AND OFFICIAL EXTRATERRITORIAL ZONING MAP FOR THE VILLAGE OF WESTON.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, at the time of adoption in 2015, the shoreland overlay zoning district was not mapped for either the Village or Town of Weston; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

**SECTION 1:** Adoption of the Official Zoning Map and Extraterritorial Zoning Map 2016. This ordinance shall be deemed to incorporate and adopt the zoning of each district in the Village and Town of Weston in the manner consistent with and as shown on the official zoning maps. Any ordinance or resolution in conflict therewith is hereby repealed. The Village of Weston Official Zoning Map and Official Extraterritorial Zoning Map of the Village of Weston, presented with this ordinance as Exhibit A and made a part thereof, is hereby adopted, and supersedes and replaces in its entirety the previous official maps, adopted in 2015.

**SECTION 2:** Display. The Village Zoning Administrator is hereby authorized and directed to display the Official Zoning Maps in a prominent place, in public view. The Village Zoning

Administrator shall also transmit copies of the adopted Official Zoning Maps to the Village Clerk. A copy of the Official Zoning Maps hereby adopted shall be permanently on file and open to public inspection in the office of the Village Clerk.

SECTION 3: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 4: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication. The following will no longer be effective as of the date of adoption of this ordinance: the existing Official Zoning Maps for the Village of Weston and within its extraterritorial zoning jurisdiction in the Town of Weston. The new Zoning Maps created by this ordinance shall be applicable to all discretionary projects that are not yet filed with or deemed complete by the Village of Weston prior to the date the ordinance goes into effect. For all other projects this ordinance shall apply on the date the ordinance goes into effect, regardless of whether an application has been filed or is complete.

Dated the 18<sup>th</sup> day of April, 2016

WESTON VILLAGE BOARD

By: \_\_\_\_\_

Barbara Ermeling, its President

Attest:

\_\_\_\_\_  
Sherry Weinkauff, its Clerk

APPROVED: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

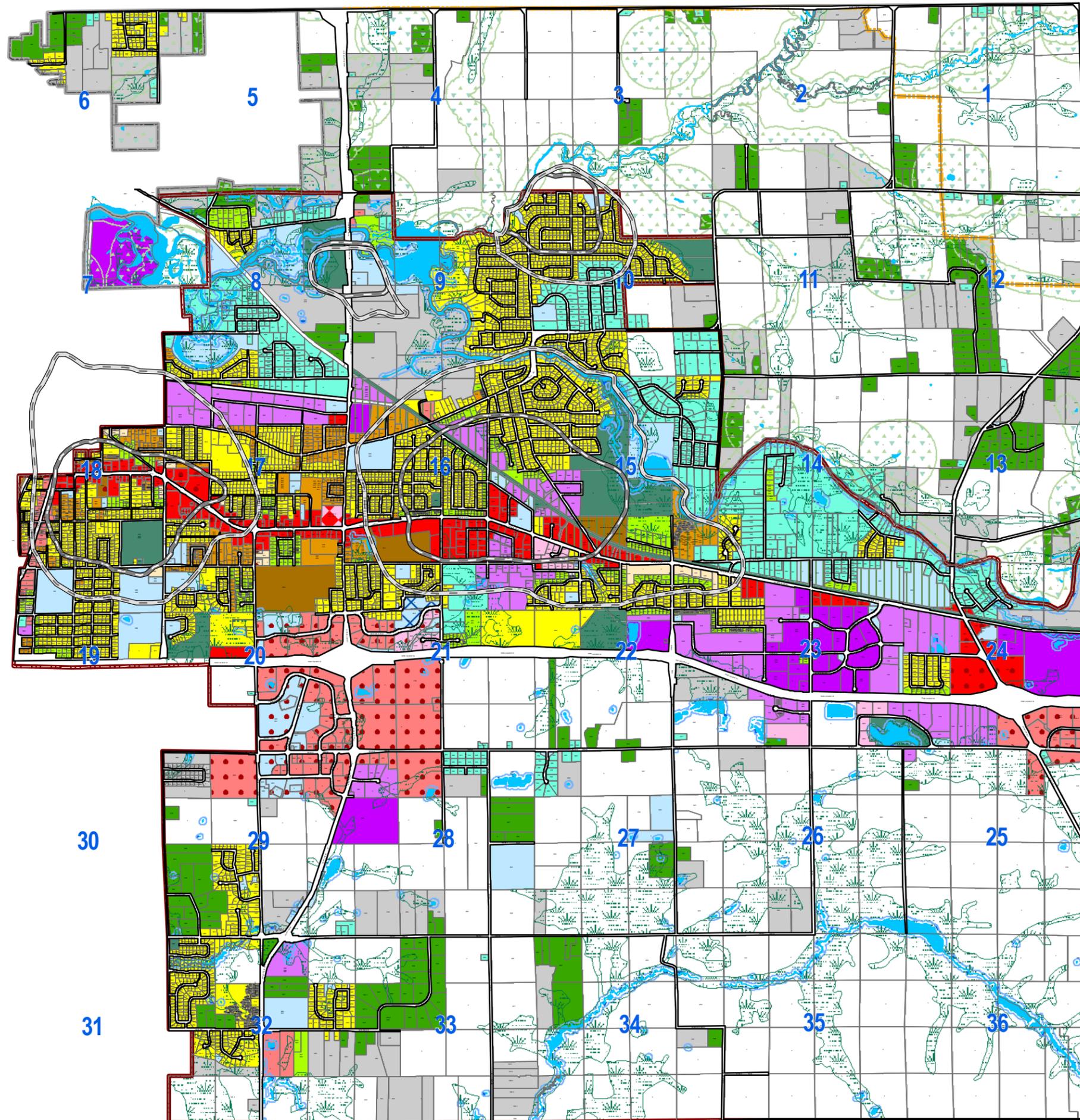
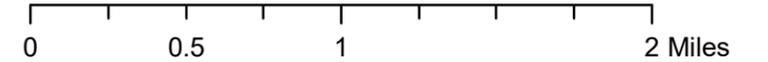
# Village of Weston Marathon County, WI



## OFFICIAL ZONING MAPS



Map Date: 3/31/2016  
 Adoption Date (Village): 4/XX/2016  
 Adoption Date (ETZ): 4/XX/2016  
 Adoption Date (Town): 01/23/2016  
 Map By: Technology Services Department, Village of Weston



### Legend

- Village of Weston
  - Extraterritorial Zoning (ETZ) Boundary
  - Town of Weston
  - Right-of-way
  - Parcel Boundary
  - Wetland
  - Surface Water
- ZONING DISTRICTS**
- AR - Agriculture and Residential
  - PR - Parks and Recreation
  - RR-2 - Rural Residential-2 Acre
  - RR-5 - Rural Residential-5 Acre
  - SF-L - Single Family Residential-Large Lot
  - SF-S - Single Family Residential-Small Lot
  - 2F - Two Family Residential
  - MF - Multiple Family Residential
  - MH - Manufactured Home
  - INT - Institutional
  - B-1 - Neighborhood Business
  - B-2 - Highway Business
  - B-3 - General Business
  - BP - Business Park
  - LI - Limited Industrial
  - GI - General Industrial
- OVERLAY ZONING DISTRICTS**
- Design - Commercial Corridor
  - Design - Condominium
  - Design - Renaissance
  - Design - Rail-to-Trail
  - Design - Weston Marketplace
  - Village of Weston Shoreland Zoning
  - Marathon County Shoreland Zoning - Town and ETZ only
- WELLHEAD PROTECTION ZONES**
- Zone A
  - Zone B

**Village of Weston, Wisconsin**  
**OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION AND**  
**JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE**  
held on Monday, March 14, 2016 at 6:00 p.m., in the Board Room, at the Municipal Center  
Chairman White Presiding.

**A. OPENING OF SESSION AT 6:00 P.M.**

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1. Joint Town & Village of Weston Extraterritorial Zoning Committee meeting called to order by Diesen.
2. Plan Commission meeting called to order PC Chairman White.
3. Clerk will take attendance and roll call.

Roll call indicated 4 Joint Town & Village of Extraterritorial Zoning Committee members present.

<u>Member</u>	<u>Present</u>
Christiansen, Randy	YES
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	NO

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	NO
White, Loren	YES
Zeyghami, Hooshang	YES

Village Staff in attendance: Higgins, Donner, Tatro, Wehner, and Parker. There were 3 audience members present.

**4. Requests for Silencing of cellphones and other electronic devices.**

**B. JOINT TOWN & VILLAGE OF WESTON EXTRATERRITORIAL ZONING (ETZ) COMMITTEE**

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**5. Public hearing before ETZ Committee on the following Zoning Ordinance Amendments:**

- i) Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.
- ii) Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.
- iii) Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.
- iv) Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.
- v) Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.
- vi) Ordinance No. 16-009 An Ordinance Amending Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures.
- vii) Ordinance No. 16-010 An Ordinance Amending Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.

- viii) Ordinance No. 16-011 An Ordinance Amending Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties.
- ix) Ordinance No. 16-012 An Ordinance Amending Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Building for Human Habitation*.
- x) Ordinance No. 16-013 An Ordinance Amending Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations*, and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties*.
- xi) Ordinance No. 16-014 An Ordinance Amending Figure 5.01 (1) of the Village Zoning Ordinance Entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards*.
- xii) Ordinance No. 16-015 An Ordinance Amending Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
- xiii) Ordinance No. 16-016 An Ordinance Amending Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
- xiv) Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.

Diesen opened the hearing, and asked for staff’s input.

Higgins stated all were updates from the Town of Weston zoning code project, and these are minor changes suggested from the Town Attorney. Staff requests these be adopted for the ETZ zoning code and Village zoning code.

No one spoke in favor or in opposition of the changes.

**6. Discussion and Action by ETZ on Director’s recommendation to approve the Zoning Ordinance Amendments, per the specifications, conditions, and limitations of the submitted staff report, and forward to the Board of Trustees for their consideration and approval.**

Higgins brought it to the attention of the Village PC and ETZ members that this public hearing was incorrectly listed on the meeting agenda. It is only listed to be discussed and acted on before ETZ, where this should also be discussed and acted on by Village PC. Higgins recommended ETZ remove this public hearing from tonight’s meeting and re-hear it at the April 11<sup>th</sup> meeting. She stated the public hearing notice was correct, just not the agenda.

*Motion by Hull, second by Kollmansberger to postpone public hearing Ordinance 16-003 – 16-005 and 16-007 -16-016 until some date staff determines. Q: Higgins stated she will check with Weinkauf to see if the full public hearing notice needs to be re-noticed, since it was properly noticed for this meeting.*

*Motion by Hull, second by Kollmansberger to also postpone the public hearing for Ordinance 16-006 until some date staff determines.*

Yes Vote: 4      No Votes: 0      Abstain: 0      Not Voting: 0      Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	YES
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	NO

**C. PUBLIC COMMENT – ETZ.**

**7. Comments from the public on issues, which the ETZ has oversight, or on business items that might be recommended to the Board of Trustees.**

Ken Umbarger, owner Stillwater Landings Mobile Home Park, 4311 Schofield Avenue, asking if there are copies of the ordinance changes brought up tonight. Higgins explained these are all available online.

**D. CONSENT ITEMS – ETZ.**

**8. Approve previous meeting(s) minutes from the ETZ, October 12, 2015.**

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*Motion by Kollmansberger, second by Christiansen, to approve previous meeting(s) minutes from the ETZ, October 12, 2015.*

Yes Vote: 4      No Votes: 0      Abstain: 0      Not Voting: 0      Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	YES
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	NO

**E. DISCUSSION AND REVIEW OF DRAFT ORDINANCE.**

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**9. Discussion on Draft Mobile Food Vending Zoning and Licensing Ordinance**

Higgins stated staff has been asked to research and put into the zoning code the allowance of food carts/trucks (mobile food vending), and create regulations and licensing for these. There are a few food truck vendors that would like to visit some of the larger employers on certain days and also potentially in different places throughout the Village. There is one particular vendor that has shown up at the Gardner Bakery Outlet. Wausau has mobile food vending regulations for their downtown area, around the 400 Block, and a few other places. Higgins pointed out how Wehner has looked at other Municipal ordinances for examples to use in this one. She stated that, along with Chapter 94, we are also adding language to the Village’s Municipal Ordinance Chapter 18 (business licensing). We will also need to look at our schedule of fees for the different licensing options.

Higgins stated this would be coming back next month through a public hearing (for the zoning portion). She mentioned that modifications to Chapter 18 do not require a public hearing, but staff wanted to share this entire piece with this group to show the overall picture. Higgins stated this is something that probably will not be utilized within the Town, but thought it would be best to keep it all together as one code (PC and ETZ).

Kollmansberger is in favor of this ordinance. Higgins stated there had been some issues in the past with the non-profits, where we included regulations in the old code requirements that they register as a vendor, but then we would not charge them. The biggest thing with this ordinance is that we will know where those food carts are, as if someone gets sick or has a problem, we are the first place people tend to call. This also requires the vendors to contact the business owner for permission first.

Johnson stated, as far as the ETZ area goes, he could see these food vendors at farm auctions that occur. Wehner stated this would be handled differently, as anytime there is an event open to the public, where over 200 people will be attending, there is a different permit for that, and those food vendors would be covered under that permit. Either way, if they want to sell food, they should still be licensed. Wehner stated if the Town wanted to add this to their code, they would then also need to update their Chapter 18 ordinance. Kollmansberger confirmed these also go through a background check through the police chief. Wehner stated we will be proposing a similar fee schedule as Wausau, where the cost would be \$100.00 per year and \$75.00 for 6 months.

White feels, within the definitions, that 32 square feet was kind of small. Wehner stated this is what Wausau has in their regulations for food carts, unless they have a vehicle, where vehicle specifications are found elsewhere.

Hull pointed out some of the definitions only cover the Village corporate limits. Wehner stated we would have to amend this to include the ETZ area.

**F. ADJOURN ETZ.**

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**10. Adjourn ETZ Committee**

**Motion by Hull, second by Kollmansberger to adjourn at 6:20 p.m.**

**G. PLAN COMMISSION (PC)**

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**11. Public Hearing before PC REZN-2-16-1566 Jennifer Higgins, Village of Weston, requesting a rezone from BP (Business Park) to LI (Limited Industrial), on property addressed as 8902 Progress Way, consisting of 3.119 acres, to allow this parcel to be combined with adjacent parcels to the east.**

Higgins explained how this lot and the outlot to the east were initially split, as From The Forest (FTF) was going to purchase the outlot for their expansion; now FTF is interested in purchasing the entire original lot. Basically, we are rezoning this lot to LI, and then will be putting those two lots back together. White questioned if this could possibly change again? Higgins stated she hoped this was the final change.

No one spoke in favor or opposition.

**White closed this hearing at 6:25 p.m.**

**12. Discussion and Action by PC on Director’s recommendation to approve REZN-2-16-1566, per the specifications, conditions, and limitations of the submitted staff report, and forward to the Board of Trustees for their consideration and approval.**

*Motion by Schuster, second by Diesen, to approve the REZN-2-16-1566, per the specifications, conditions, and limitations of the submitted staff report, and forward to the Board of Trustees for their consideration.*

Yes Vote: 6      No Votes: 0      Abstain: 0      Not Voting: 0      Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	NO
White, Loren	YES
Zeyghami, Hooshang	YES

**H. PUBLIC COMMENT (PC)**

**13. Comments from the public on issues, which the PC has oversight, or on business items that might be recommended to the Board of Trustees.**

Mark Yagerlener, 222 E. College Avenue, Appleton, WI, who handles the real estate for Ministry Health Care; specifically, he works for Ascension Health, who is the parent hub hospital corporation for Ministry Health.

He stated the reason he is here today, was he had the originally scheduled 4:30 p.m. JSD presentation on his calendar; and though the presentation date has been moved, he thought he would still attend our meeting to introduce himself to us and share some comments with us, on behalf of Ministry Health.

He explained Ministry owns 33 acres, on the northeast corner of Camp Phillips Road and Weston Avenue (sometime referred to the Schmidt or Putnam parcel). Ministry Health and Ascension is very supportive of seeing development occur in that proposed TIF project. As a neighbor and strong stakeholder in the community, they are wanting to see development that is complimentary to the quality of the development that they have on the Saint Clare’s campus. They are working with Forward Development for their parcel. One part of their focus is economics, and the other part of their focus and discussions is centered on the type of developments that can occur on their site to set a tone and standard masterplan for other types of development that could occur in the area. A concern is that the conceptual plan proposes a large multi-bay gas and convenience store. Though this is just conceptual, they feel this is not the right type of development for Weston’s front door, nor is it the right type of development for the front door of the hospital campus. He stated there is already a strong prevalence of automotive-type uses on the other side of Camp Phillips Road. They believe there is opportunity for higher quality-type development to build off the strength of the hospital, such as medical office buildings. He will try to be present for the May JSD presentation.

Schuster questioned Yagerlener if they see the existing R-Store on Westview Boulevard as a detriment to the hospital campus. Yagerlener stated that he is not opposed to what is currently there, but to bring in another automotive-type business would send a heavy-automotive-type tone.

White commented that the Village is investing a lot of time and money into this project, and we do not want something that will appear to be a “gasoline alley” either, that we look to this development as an upgrade, and not the status quo. We are not going to push for something that will degrade the project.

Schuster stated we want attractive, meaningful businesses here. Not going to let just anyone put up a box.

There were no other comments from the public.

**I. CONSENT ITEMS – (PC)**

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**6. Approve previous meeting(s) minutes from the Plan Commission February 8, 2016, regular meeting.**

*Motion by Diesen, second by Johnson, to approve the Plan Commission February 8, 2016 regular meeting minutes.*

Yes Vote: 6                  No Votes: 0                  Abstain: 0                  Not Voting: 0                  Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	NO
White, Loren	YES
Zeyghami, Hooshang	YES

**J. DISCUSSION AND REVIEW OF COMPREHENSIVE PLAN DRAFT CHAPTERS**

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**15. Chapter 10 Community Facilities and Utilities**

Higgins stated this is draft #3. She is looking for any final changes, and will send back to Roffers, who will update and make the needed changes to the chapter numbers. Once the economic development plan has been finalized, she will then bring all of these back together for review prior to a public hearing. She is thinking this will occur at the end of summer or early fall.

Zeyghami questioned on figure 10.5.2, the sidebar comment about adding the Bull Junior Creek in. Zeyghami stated the Bull Junior is the smallest aquifer in the State. The DNR has decided this creek is a non-point for pollution. Donner commented this would be very unlikely to find a wellsite in this drainage basin. Higgins will remove that comment.

Johnson pointed out the first sentence of 10.5.1, needs to be looked at, as it does not make sense. Higgins will look at it.

Schuster pointed out the “in 2016”, should be first. Higgins will address this change in the document before sending back to MDRoffers.

**16. Chapter 12 Intergovernmental Cooperation**

Higgins stated this is draft #2. Johnson questioned the top map on page 11.4, as to whether it should have a legend. He feels some of the colored areas are incorrect, as this is showing his neighborhood as sewered, when his neighborhood is not sewered. He feels this gives the impression that his neighborhood will be city sewer and water. Higgins stated staff will look at this.

**K. REPORTS FROM STAFF**

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**17. Report from Planning and Development Director.**

Higgins pointed out her report. She stated that staff is currently starting plan review for Briqs Soft Serve, Saint Clare’s Hospital, Intercom Construction, Mount Olive Church, Wagner Shell, Kwik Trip, Coca-Cola, and a potential 4-tenant building on the Target outlot.

SE Quadrant presentation has been moved back to May. She and Donner are working on updating TAZ (traffic analysis zones) boundaries (employment and household projections) for the DOT, who will update their model and get the information back to JSD. JSD has given us some preliminary alternative plans for the DNR and they have to do an economic analysis to explain why we need to cross the wetlands and use Westview Boulevard. Donner explained how we are trying to get the DOT’s traffic model to correlate with

JSD's traffic model, where the DOT wants to check between the two to be sure JSD is not over exaggerating. We are trying to show DOT that by building the improvements that are needed, development will occur faster.

Higgins reminded Zeyghami and White about the Plan Commissioner's Workshop tomorrow in Stevens Point.

**18. Staff Report on staff-approved CSM's, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies issued since last reported of 02/08/2016.**

**L. REMARKS FROM COMMISSIONERS.**

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Zeyghami stated he received a letter from the Public Service Commission regarding upcoming improvements to occur to the power line along the river. Higgins stated she received a letter too, but has not reviewed it yet. Higgins will review this letter and let them know what is going on.

Johnson commented on if we are okay with food cart vendors hanging out until 2:30/3:00 a.m. at a bar. Johnson is concerned about the hangout and fights. Wehner stated this is verbatim from Wausau's code. Johnson also commented on a place in Colorado Springs, with a beer brewery where 6 carts were stacked up to sell food. It was explained this ordinance allows up to 20 licenses. Wehner commented he has not heard back from the Wausau Clerk on any problems they have experienced. Diesen would like to receive Wausau Police Department statistics on calls they may have taken.

Schuster commented how we do not have a downtown. Wehner feels because we do not have a downtown, there may not be stands this late.

**M. DISCUSS ITEMS TO BE INCLUDED FOR NEXT AGENDA.**

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**N. Set next regular meeting date for Monday, APRIL 11, 2016, at 6:00 P.M.**

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\* **SE Quadrant Open House on Monday, April 11, 2016.**

\* **Formal Presentation by JSD to CDA & PC from 4:30 – 5:00 p.m.**

\* **Public Engagement Session and Open House from 5:00 p.m. – 6:00 p.m.**

Johnson will be gone. JSD presentation has been moved to May.

**O. ADJOURN.**

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**13. Adjourn Plan Commission,**

**Diesen motioned, Johnson seconded to adjourn at 7:00 p.m.**

Loren White, Chairman

Jennifer Higgins, Director of Planning & Development

Valerie Parker, Recording Secretary

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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REQUEST FROM: **JARED WEHNER, ASSISTANT PLANNER**

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ITEM DESCRIPTION: **SITE PLAN CSIT-3-16-1570 – BRIQ’S BUILDING AND PARKING LOT EXPANSION**

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DATE/MTG: **PLAN COMMISSION, APRIL 11, 2016 AT 6:00 PM**

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POLICY QUESTION: Should the Plan Commission approve the proposed site plan CSIT-3-16-1570 for the expansion of the building and parking lot at Briq’s with the following conditions:

- The landscaping plan be resubmitted to show what category the plant is under, the point value, the number of times planted, and a total point value planted per figure 11.02(7) of Article 11. The general yard requirements are satisfied. The point values provided do not match the point values in figure 11.02(7)
- Specifications provided for the refuse and recycling enclosure, which shall include the elevations and materials used
- An allowance to exceed the number of maximum parking stalls (15) to 39, due to the nature of the business. The current zoning code does not address this sort of use properly
- The lighting plan be resubmitted due to the lack of lighting in the northeast half of the parking lot. The lighting of the greater majority of parking lot shall be no less than 1-foot candle
- The proper accommodation for pedestrian traffic and flow on the site. A sidewalk is shown connecting the parking lot from the street sidewalk, but does not connect to the entrance of the building or order window. The sidewalk shall connect, allowing for safe pedestrian movement.

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RECOMMENDATION: Approve proposed site plan CSIT-3-16-1570 per the above stated staff conditions to allow for the expansion of the building and parking lot for Briq’s at 3907 Schofield Avneue.

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LEGISLATIVE ACTION:

- |                                                         |                                    |                                       |
|---------------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order           | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure                    | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
- 
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STATUTORY / RULEMAKING / POLICY REFERENCES:

Municipal Code: Chapter 94 - Zoning

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PRIOR REVIEW: Staff Review – Report is attached

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BACKGROUND:

Briq’s is proposing a building and parking lot expansion at their current facility at 3907 Schofield Avenue. The expansion would accommodate for a drive-through, and indoor seating area and an expanded parking lot. The current site, which is rented by Briq’s is rented from CoVantage Credit Union, but is now being purchased by Briq’s and combined with their neighboring lot to accommodate the expansion.

Attachments: Commercial Site Plan Staff Review – CSIT-3-16-1570; and Complete Site Plan Proposal.

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**COMMERCIAL SITE PLAN STAFF REVIEW****CSIT-3-16-1570**

Planning and Development Department

Submitted on: March, 4, 2016

Revised on: March 31, 2016

PROJECT ADDRESS: 3907 SCHOFIELD AVENUE, WESTON WI 54476

STAFF DETERMINATION: The following items need to be addressed prior to the site plan being forwarded onto Plan Commission:

- Setbacks on all structures must be shown (Actual setbacks have not been provided)

The following items shall be reviewed by the Plan Commission:

- Landscaping plan must be resubmitted to meet the point requirements as listed below (Landscaping plan still does not meet the requirements of this section. The landscaping plan needs to show what category the plant is under, the point value, the number of times planted, and a total point value planted per figure 11.02(7) of Article 11. The general yard requirements are satisfied. The point values provided do not match the point values in figure 11.02(7))
- Specification shall be provided by for the refuse and recycling enclosure, elevations and materials used shall also be listed. (Specifications have not yet been provided)
- Total number of parking spaces exceeds the 150% maximum – 15 max spaces (Requires PC Approval, due to the nature of the business, staff recommends PC approve the number of parking stalls provided in the proposed site plan.)
- Lighting plan needs to be submitted. The parking lot will need to be lit for safety (Lighting plan has been submitted, but does not meet the requirements of this chapter. The northeast portion of the parking lot is not property lit.)
- If over an acre of area is disturbed during construction, then a stormwater management plan shall be required per Wis. Stat. §NR 151.11.
- Pedestrian traffic needs to be accounted for. This will be accomplished through a sidewalk extending from the street sidewalk to the entrance of the building with a striped crosswalk, as identified by the attached plans with staff comments (A sidewalk is shown from the street sidewalk, but does not connect to the entrance of the building on site)

The following items have been addressed in the latest revision (3/31/16) of the proposed site plan:

- Materials used shall be identified on the building elevation plans
- A bufferyard needs to be identified on the landscaping plan
- Snow storage areas need to be shown
- Bicycle parking is not shown on the plan
- Stormwater swales are required on the north and east side of the property to prevent street flooding on Schofield Avenue during heavy rain events and snow melt. Location of drive-through order station identified
- Northwest corner of parking lot should be stripped for “No Parking” and for the driving lane to drive-through to provide a clear path for traffic.

APPROVAL EXPIRATION DATE:

RELATED CASES:

GENERAL			
<b>Applicant/Company:</b>	Kevin Briquelet Miller / SPDW Properties, LLC.		
<b>Address:</b>	1810 Patriot Drive, Wausau, WI 54403		
<b>Phone:</b>	715.571.2749	<b>Email:</b>	<a href="mailto:brigmiller5@aol.com">brigmiller5@aol.com</a>
<b>Site Owner:</b>	Kevin Briquelet Miller / SPDW Properties, LLC.		
<b>Address:</b>	1810 Patriot Drive, Wausau, WI 54403		
<b>Phone:</b>	715.571.2749	<b>Email:</b>	<a href="mailto:brigmiller5@aol.com">brigmiller5@aol.com</a>
<b>Engineer/Company:</b>	Jim Borysenko / REI Engineering		
<b>Address:</b>	4080 N 20 <sup>th</sup> Avenue, Wausau, WI 54401		
<b>Phone:</b>	715.675.9784	<b>Email:</b>	<a href="mailto:jborysenko@reiengineering.com">jborysenko@reiengineering.com</a>

<b>General Contractor:</b>	Josh Stumper / JAS Construction, LLC.		
<b>Address:</b>	T5450 N Troy Street, Wausau, WI 54403		
<b>Phone:</b>	715.675.0841	<b>Email:</b>	<a href="mailto:josh@jasbuilds.com">josh@jasbuilds.com</a>
<b>Architect:</b>	Rod Cox / Cox and Associates		
<b>Address:</b>	7702 Starflower Drive, Wausau, WI 54401		
<b>Phone:</b>	715.355.8260	<b>Email:</b>	<a href="mailto:rodcox@coxandassociates.net">rodcox@coxandassociates.net</a>
<b>Existing Zoning:</b>	B-3 – General Business		
<b>Adjacent Zoning:</b>	<b>NORTH:</b>	B-3 – General Business	
	<b>SOUTH:</b>	MF – Multiple Family Residential	
	<b>EAST:</b>	B-3 – General Business	
	<b>WEST:</b>	B-3 – General Business	
<b>Existing Land Use:</b>	Indoors Sales or Service w/ Outdoor Display Incidental to Indoor Sales or Service		
<b>Adjacent Land Use:</b>	<b>NORTH:</b>	Indoor Sales and Service/Drive-Up/Drive-Through Sales and Service	
	<b>SOUTH:</b>	Multiple Family Attached	
	<b>EAST:</b>	Personal or Professional Service/Drive-up/Drive-Through Sales or Service	
	<b>WEST:</b>	Personal or Professional Service/Drive-up/Drive-Through Sales or Service	
<b>Future Land Use:</b>	Drive-Up/Drive-Through Sales or Service		

**LEGAL DESCRIPTION OF SUBJECT PROPERTY:**

To be determined – Lots 19228081740920 and 19228081740878 are to be combined into a new parcel at the time of sale.

**GENERAL DESCRIPTION OF PROJECT:**

Expansion of the existing building to add on an indoor seating area, covered outside seating area and a drive-through window. The parking lot will also be expanding to meet the increase on customer traffic.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:**

**Future Commercial:** Retail, commercial service, restaurant, and office uses, all served by public sanitary sewer and water services. Where along major highway corridors or outside of the Village’s neighborhood areas, the scale and range of uses may expand, including lodging, large-scale retail, wholesaling, and outdoor display land uses.

Zoning District Implementation: Where adjacent to residential development and/or away from major highways, B-1 Neighborhood Business or parts of N - Neighborhood district. Where along major highways or outside of the Village’s neighborhood areas, B-2 Highway Business and B-3 General Business.

Density: Minimum new lot size of 20,000 square feet (B-1) or 30,000 square feet (B-2, B-3), though larger scale business uses may require considerably more area. Promote lot sizes that enable future on-site expansion.

Development Policies: 1) Meet associated non-residential building and site design standards per zoning ordinance, including any overlay district requirements. 2) Time rezoning to when public utilities are available and a development proposal is made. 3) Assure that development provides access and an attractive rear yard appearance to development behind it. 4) Require developments to address traffic, environmental, and neighborhood impacts.

**STAFF ANALYSIS PROVIDED BY:**

**S.A.F.E.R. DISTRICT** (Inspector Christiansen), **EVEREST METRO POLICE DEPARTMENT** (Chief Sparks), **DEPARTMENT OF PUBLIC WORKS** (Keith Donner, Director of Public Works and Michael Wodalski, Deputy Director of Public Works), **DEPARTMENT OF PARKS, RECREATION AND URBAN FORESTRY** (Shawn Osterbrink), **DEPARTMENT OF PLANNING AND DEVELOPMENT** (Jennifer Higgins, Director of Planning & Development; Scott Tatro, Building Inspector; and Jared Wehner, Assistant Planner).

**STAFF MEETING HELD VIA E-MAIL TO DISCUSS THE SITE PLAN PROPOSAL. COMMENTS HAVE BEEN INCORPORATED BELOW.**

<b>SITE PLAN SPECIFICATIONS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
Minimum Lot Size:	30,000 sq. ft.	1.48 ac
Minimum Lot Width:	80 ft.	253.6 ft
Minimum Street Frontage:	40 ft.	204.79 ft
Minimum Landscape Surface Ratio:	20%	49.5
Maximum Floor Area Ratio:	0.5	
<b>SETBACKS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
Front/Street Side Yard:	30 ft.	<b>NOT SHOWN</b>
Interior Side Yard:	12 ft.	<b>NOT SHOWN</b>
Rear yard:	20 ft.	<b>NOT SHOWN</b>

Hard Surface Front yard:	15 ft.	NOT SHOWN
Hard Surface Interior yard:	10 ft.	NOT SHOWN
Minimum Principal Building Separation:	10 ft.	NOT SHOWN
Principal Structure Height:	3 Stories / 45 ft.	NOT SHOWN

LAND USE STANDARDS: Section 94.4.XX	PROPOSED
<p><b>(9) Drive-Through and Drive-In Sales or Service.</b> Includes all land uses that perform sales and/or services to persons in vehicles, or to vehicles that may or may not be occupied at the time of such activity (except “Outdoor and Vehicle Repair and Maintenance” land uses, which are separately listed and regulated). Such uses often have traffic volumes that exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples include drive-in, drive-up, and drive-through facilities in conjunction with another principal use (like a bank or restaurant), vehicular fuel stations, and car washes.</p> <p><b>Performance Standards:</b></p> <ol style="list-style-type: none"> <li>1. There shall be stacking space for at least five vehicles behind each drive-through order station, at least two vehicles between each order station and the first pass-through window, and at least two spaces beyond the last pass-through window for post-order pick-up.</li> <li>2. The drive-through facility shall be designed so as to not impede or impair loading, vehicular movement, and pedestrian movement, or exacerbate the potential for conflicts with such activities.</li> <li>3. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to drive-through lane(s).</li> <li>4. All vehicular areas shall have a hard surface that is designed to meet the requirements of a minimum four-ton axle load.</li> <li>5. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.</li> <li>6. Vertical concrete curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports, and landscaped islands.</li> <li>7. Any land use that conducts sales from a vehicle such as a food truck or trailer, or from any other structure for an outdoor food or beverage vendor, that is in one place for more than 7 consecutive days is not classified as a “Drive-Through and Drive-In Sales or Service” use and is prohibited within the Village.</li> <li>8. Minimum Require Off-Street Parking: Refer to the parking requirements of the other land uses on the site, such as “Indoor Sales and Service” land uses for a gas station/convenience store.</li> </ol>	<p>Drive-through and Drive-in Sales or Service is a permitted use by right in the B-3 zoning district.</p> <ol style="list-style-type: none"> <li>1. <b>Location of drive-through order station is not shown on plans. Corrected, shown on plan as “12.”</b></li> <li>2. <b>Northwest corner of parking lot should be striped for “No Parking” and for the driving lane to drive-through. Corrected, the area is shown to be striped.</b></li> <li>3. <b>Needs to be provided for pedestrian entrance. A sidewalk has been added from the street sidewalk into the property, but does not connect to the entrance of the building.</b></li> <li>4. Meets Requirements – 25-year lifetime expectancy</li> <li>5. <b>Needs to be shown on landscape plan. Corrected, a tree line is shown on the landscaping plan.</b></li> <li>6. Meets Requirements – 8” curb</li> <li>7. Not Applicable</li> <li>8. See Indoor Sales/Service (1sp/300 ft.) – 39 spaces proposed.</li> </ol>

DESIGN STANDARDS: Section 94.10.03	PROPOSED
<p><b>(1) Applicability.</b> All new multi-family (3+ unit) residential principal buildings and non-residential principal buildings shall meet the design requirements in this Section, with the exception of farm structures such as barns, silos, and grain elevators. Expansion and exterior remodeling (exceeding 50 percent of the equalized assessed value of the structure at the time of the proposed project) of existing multi-family (3+ unit) residential principal buildings and non-residential principal buildings shall meet the design requirements in this Section to the extent determined practical by the applicable site plan approval</p>	<p>(1) Project is applicable to these regulations.</p>

<p>authority. All Detached Accessory Structures serving multi-family residential principal buildings shall meet applicable design requirements in Section 94.4.09(2). All Detached Accessory Structures serving non-residential principal buildings shall meet applicable design requirements in Section 94.4.09(1).</p>	
<p>(3) <b>Licensed Architect Required.</b> All proposed new construction and building additions shall require building elevations stamped by an architect licensed in the State of Wisconsin, unless otherwise approved by the Plan Commission. All such elevations shall demonstrate compliance with Section 94 by showing the calculated percentages of all proposed exterior materials.</p>	(3) Meets Requirements – Cox and Associates
<p>(4) <b>Building Size and Mass.</b> The size and mass of buildings and structures shall be designed with consideration of the buildings, public ways, and places to which they are visually related (see Figure 10.03(1) for examples). The relative proportion of a building to its neighboring existing buildings, to pedestrians, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are altered.</p>	(4) Meets requirements
<p>(5) <b>Building Facade Continuity.</b> Changes in building material, color, and texture shall occur at points related to the massing and overall design concept for the building. Each building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this is vertical character, horizontal character, or non-directional character. Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosures along a street to ensure a favorable relationship with the buildings, public ways, and places to which such elements are visually related (see Figure 10.03(2) for examples in an urban setting).</p>	(5) Meets Requirements
<p>(6) <b>Building Design Proportions.</b></p> <p>(a) The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.</p> <p>(b) The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.</p> <p>(c) The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.</p> <p>(d) The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related.</p> <p>(e) The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.</p>	(a) Meets Requirements
	(b) Meets Requirements
	(c) Meets Requirements
	(d) Meets Requirements
	(e) Meets Requirements
<p>(7) <b>Approved Materials.</b> Material selection shall relate to the prevailing material already used on recently constructed buildings in the area, or to a different character if identified in the Village’s Comprehensive Plan, the examples in Figures 10.03(3) and (4), or unique requirements associated with any D Design overlay district applicable to the site. In addition:</p> <p>(a) All new construction shall have a façade that consists of 60 percent of brick, native stone, tinted and/or textured</p>	(a) <b>Material not listed on building elevations. Corrected, river stone and cedar siding is shown.</b>

<p>concrete masonry units, glass, copper panels, stainless steel, brushed nickel, stained natural woods (as provided in subsection (c)) or other comparable material as approved by the site plan approval authority, except as provided below:</p> <p>(b) Vinyl, Dryvit, Exterior Insulation Finishing Systems (EIFS), plaster products, and metal panels shall not be counted towards the 60 percent requirement in subsection (a), except for architecturally finished and decorative versions of such materials if approved by the site plan approval authority.</p>	<p>(b) <b>Material not listed on building elevations. Corrected, the materials listed are not in use.</b></p>
<p>(c) Natural wood, including treated wood, shall be painted or stained. The site plan approval authority may authorize the use of cedar, redwood, or other naturally weather resistant wood species to be untreated.</p>	<p>(c) <b>Material not listed on building elevations. Corrected, cedar siding does not need to be treated.</b></p>
<p>(d) Facades with an uninterrupted length of 200 feet or more shall include the use of two or more colors or employ the use of protruding or intruding exterior walls in a way that breaks and reduces the monotony.</p>	<p>(d) Not applicable</p>
<p>(e) Multifamily dwellings are required to have architectural and trim details such as frieze board, vertical corner trim, drip caps, gable vents, shingles and shakes.</p>	<p>(e) Not applicable</p>
<p>(f) Commercial buildings are required to be designed to provide human scale, interest, and variety, which shall be accomplished by incorporating at least two of the following techniques:</p> <ol style="list-style-type: none"> <li>1. Variation in building form, such as recessed or projecting bays, shifts in massing or distinct roof shapes.</li> <li>2. Emphasis on building entries through projecting or recessing forms (e.g., cover entries or columns), details or material differences.</li> <li>3. Variation in materials, material modules, express joints and details, surface relief, and/or texture to break up building forms and walls.</li> </ol>	<p>(f) Meets Requirements</p>
<p>(g) Where concrete block or masonry is used on industrial buildings, such material shall be painted with no less than two coats of paint, stain, or shall be a decorative pattern or treatment as approved by the site plan approval authority.</p>	<p>(g) <b>Materials not listed on building elevations. Corrected, the materials listed are not in use.</b></p>

<p>(8) <b>Materials—Use of Metal and Other Non-decorative Materials.</b> No exposed façade shall be faced with a material that presents an unfinished appearance to the public and surrounding properties. The following exterior construction materials shall not be exposed along front or street side yard facing building facades: non-decorative concrete block, cinder block, or concrete foundation walls (except for the first two feet above grade), non-decorative plywood, chipboard, T1-11, asphaltic siding, vinyl siding less than 0.044 inches of thickness, any material using exposed fastener systems, metal sheets, panels or other similarly inferior materials as determined by the site plan approval authority. No façade of any principal building intended for a residential, institutional, or commercial use as listed in Figure 3.04 shall be sided with metal sheets or panels. Any accessory non-residential building sided with metal sheets or panels shall be fully screened from the public rights-of-way. Pole buildings shall be prohibited in any residential, commercial, and industrial zoning district.</p>	<p>(8) <b>Materials not listed on building elevations. Corrected, the materials listed are not in use.</b></p>		
<p>(9) <b>Colors.</b> Building colors shall be selected to enhance or maintain general harmony with the existing area or neighborhood buildings, without creating a monotonous street appearance. See examples of appropriate color combinations in Figures 10.03(3) and 10.03(4).</p>	<p>(9) Meets Requirements</p>		
<p>(10) <b>Design.</b> Building design features, materials and articulations shall be continued in all sides.</p>	<p>(10) Meets Requirements</p>		
<p>(11) <b>Roofing.</b> Exposed roofing materials shall be variegated in color and texture in a manner that is complimentary to the color and texture of the façade.</p>	<p>(11) Meets Requirements</p>		
<p>(13) <b>Vents and Mechanical Units.</b> All chimney and fireplace vents shall be enclosed in a case constructed of materials similar to those materials used on the building elevations. Metal housings designed by the vent manufacturer to enclose the chimney vents are acceptable. All heating, ventilating, and air-conditioning equipment shall be designed to be integral with the building architecture and site design and screened from view from public rights-of-way.</p>	<p>(13) Meets Requirements</p>		
<p>(14) <b>Building Orientation.</b> All buildings shall be sited to present their most desirable façade(s) to adjacent public rights-of-way. Garages and loading docks shall be designed as integral elements to the building and site, and shall not be the dominant visual element from public rights-of-way unless pre-existing site or building conditions would not allow this. All new loading docks shall be screened from public view to the extent practical. No truck canopies with visible wall hangers are permitted.</p>	<p>(14) Meets Requirements</p>		
<p>(15) <b>Outdoor Waste/Recycling Containers.</b> Solid waste/recycling containers (dumpsters) stored outdoors shall be subject to applicable standards in Section 94.12.06(2) and Chapter 66 of the Municipal Code.</p>	<p>(15) <b>Enclosure shown, material not specified. Plans for the enclosure have not been submitted (4/8)</b></p>		

LANDSCAPING: Section 94.11.02	Proposed	Required Points	Proposed Points
<p><del>(a) <b>Street Frontages.</b> Street trees shall be planted in accordance with the following standards (see also example in Figure 11.02(1)):</del></p>	<p>1. No street trees are required due to width of boulevard on Schofield Avenue</p>	<p>N/A</p>	

<p><del>1. The total number of street trees shall be equal to or exceed the ratio of one for each 50 feet of street frontage.</del></p> <p><del>2. Trees shall be planted in the right of way along all streets no closer than ten feet from driveways, street signs, fire hydrants, and other above ground utilities, and 50 feet from the corner of an intersection, as measured from the right-of-way lines extended.</del></p> <p><del>3. When conditions are such that the required spacing cannot be satisfied in the right of way or, if in the opinion of the Zoning Administrator the right of way is not wide enough to support tree growth, street trees under this subsection shall be planted within the first ten feet inside the sidewalk line.</del></p> <p><del>4. The unpaved portion of a public right of way abutting a parcel shall be sodded with a salt tolerant grass equivalent to a mixture containing 30 percent alkali grass.</del></p> <p><del>5. Tree or shrub planting in any public right of way or on any public land in the Village shall be governed by Chapter 70 of the Code.</del></p>	2.		
	3.		
	4.		
	5.		
<p>(b) <b>Hard and Gravel Surfaced Areas.</b> Within industrial zoning districts, 100 points of landscaping shall be planted for each 2,500 square feet of hard and gravel surfaced area, not including rooftops. Within all other zoning districts, 100 points of landscaping shall be planted for each 1,500 square feet of hard or gravel surfaced area, not including rooftops. Plants required under this subsection shall be installed within landscaped islands within the hard or gravel surfaced area or within 15 feet of its edges, and shall include large deciduous trees unless otherwise approved by the appropriate site plan approval authority. See example in Figure 11.02(2).</p>	(b) <b>The points and calculations on the landscaping plan do match the requirements of this article.</b>	<b>1870 pts</b>	
<p>(c) <b>Building Foundations.</b> Within industrial zoning districts, 100 points of landscaping shall be planted for each 50 lineal feet of exterior building wall that is visible from a public right-of-way or residentially zoned property. Within all other zoning districts, 100 points of landscaping shall be planted for each 75 lineal feet of exterior building wall. Plants required under this subsection must be installed within 20 feet of the building foundation, and shall not include large deciduous shade trees. See example in Figure 11.02(3).</p>	(c) <b>The points and calculations on the landscaping plan do match the requirements of this article.</b>	<b>292 pts</b>	
<p>(d) <b>Bufferyards.</b> A bufferyard is a landscaped area, berm, fence, and/or wall that results in a reduction of visual and other interaction with an adjoining property. A bufferyard shall be provided if required for a particular land use listed in Article 4, and where otherwise required via site plan approval under Section 94.16.09. Where required, bufferyards shall comply with the following.</p>	1. <b>Shall be shown on plan. The buffer is shown on the landscape plan.</b>		
<p>1. The minimum width of a bufferyard shall be 25 feet, unless reduced by the site plan approval authority if it determines that a lesser width is adequate to separate incompatible uses/activities or is necessary owing to site constraints beyond the control of the owner.</p>	2.		

<p>2. No building, parking lot, loading area, motor vehicle circulation area, trash storage area, or outdoor storage area shall be permitted in a required bufferyard.</p> <p>3. Landscaping within bufferyards shall be selected, positioned, and planted in sufficient quantities to provide an all-season screen within five years of planting and have a minimum height of three feet at time of planting. See example in Figure 11.02(4). Such landscaping shall not count towards any other frontage, hard or gravel surfaced area, building foundation, or general yard area planting requirement of this Article.</p> <p>4. The use of a decorative opaque fence or wall, and/or a berm, in lieu of or in addition to the landscaping may be approved by the site plan approval authority, provided the slope of any berm is less than 4:1; the berm, fence or wall does not interfere with access, utilities, or stormwater management.</p>	3.		
<p>(e) <b>General Yard Areas.</b> Within industrial zoning districts, 100 points of landscaping shall be planted for each 4,000 square feet of total lot area, excluding those areas under a rooftop, hard or gravel surfaced area, required bufferyard, or being reserved for a future phase of development. Within all other zoning districts, 100 points of landscaping shall be planted for each 2,500 square feet of total lot area, excluding those areas under a rooftop, hard or gravel surfaced area, required bufferyard, or being reserved for a future phase of development. Landscaping required by this standard shall be placed where appropriate on the site to maximize visual impact of landscaping, such as in a front or street side yard or adjacent to other uses.</p>	(e) <b>No landscaping is shown on the plan to satisfy the requirements of this section.</b>	<b>1290 pts</b>	
<p>(f) <b>Landscaping Points and Minimum Installation Sizes.</b> Most of the above landscaping requirements are expressed in terms of landscape points. Each plant type, below, is worth a certain number of landscape points that can be used to fulfill the landscaping requirements. Minimum permitted installation sizes for each plant category are provided to ensure that landscaping provides its aesthetic and screening functions at the time of installation and to improve survival rates. The schedule of landscaping points and minimum permitted installation sizes is as presented in Figure 11.02(7).</p>	(f)		

GENERAL PERFORMANCE STANDARDS: Section 94.12 94.12.06(2): Exterior Storage Standards.	PROPOSED	
<p>(a) All exterior (outside) storage of recyclable and non-recyclable containers, within multi—family dwellings and non-residential facilities and properties (all land uses other than “Single-Family Detached Residence”, “Two-Family Residence”, and “Agricultural Use”), shall be placed and maintained within a three-sided enclosure and enclosed on the fourth side with a gate to contain garbage, refuse, waste, recycling, and other debris. The enclosure shall further meet all of the following requirements:</p> <p>1. Subject to accessory structure setback requirements included in Figures 5.01(2) and 5.02(2).</p>	(a)	<p>1. <b>Plans for the refuse and recycling enclosure not submitted. Plans for the enclosure have not been submitted (4/8)</b></p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p> <p>7.</p>

<p>2. Must be at least 10 feet from any combustible walls, openings, or combustible roof eave lines, as per NFPA 1 (most recent addition).</p> <p>3. Not placed in any minimum required front or street side yard.</p> <p>4. Must be placed to the interior side or rear of the principal structure, unless such a location is not possible in the determination of the Zoning Administrator.</p> <p>5. Must be a minimum of 30-feet long by 10-feet wide.</p> <p>6. Must be 8-feet tall.</p> <p>7. Placed on a permanent hard surface.</p> <p>8. The recyclable and non-recyclable containers shall be fully screened and not visible from public rights-of-way and adjacent properties from the ground level; the screening shall consist of a solid fence constructed of masonry, commercial grade wood fencing, or other commercial grade material approved by the Zoning Administrator. Chain link fences and gates with slats are not permitted for this purpose.</p> <p>9. This fence shall be constructed in such a manner so as to prevent paper, debris, and other refuse material from being blown through the fence.</p> <p>10. The Village's Refuse and Recycling Site Application must be submitted and approved by the Village prior to installation. The owner shall provide proof to the Zoning Administrator, from the owner's contracted solid waste/recycling hauler, that the design provides safe and reasonable access to the hauler to provide the contracted service.</p> <p>(b) The owner or designated agent may apply for a special exception from the Zoning Administrator regarding the minimum size, location, shape, and style of enclosure specified in subsection (a). The Zoning Administrator may grant a special exception if the applicant clearly shows that the ordinance requirement creates an unnecessary hardship and granting the special exception will not harm the public interest or undermine the purpose of this Chapter.</p> <p>(c) The exterior storage of non-recyclable and recyclable material, and associated containers and enclosures, which are not in compliance with this subsection as of March 18, 2015, shall have one year from such date to comply.</p>	<p>8.</p> <p>9.</p> <p>10.</p>
<p><b>(5) Construction Materials and Equipment Related to On-site Construction.</b> Except within agricultural zoning districts, all temporary storage of construction materials and equipment related to on-site construction shall be set back a minimum of three feet from any interior side or rear property line, and outside of any front or street side yard unless provided site plan approval under Section 94.16.09.</p>	<p>(5)</p>
<p><b>94.12.08: Access and Driveway Standards.</b></p>	
<p><b>(10) Provision for Sidewalk.</b> Where the Village has planned for or approved sidewalks, driveways shall accommodate a concrete sidewalk section within the public right-of-way, built to Village sidewalk standards, to maintain connection with existing sidewalks or to allow for the connection of future sidewalks on either side of the driveway.</p>	<p>(10) Driveway already exists with sidewalk.</p>
<p><b>(12) Vision Clearance Triangles.</b> Within vision clearance triangles, no signs, structures, earthwork, vegetation, or other obstructions between 18 inches and ten feet in height shall be</p>	<p>(12) Meets requirements</p>

<p>permitted, except for tree trunks and sign poles. The vision clearance triangle shall apply where public streets intersect, and where private driveways and alleys intersect with public streets, per the following standards (as also represented in Figure 12.08).</p>	
<p><b>94.12.09: Off-Street Parking and Traffic Circulation Standards.</b></p>	
<p>(3) <b>Use of Off-Street Parking Areas; Snow Storage.</b> Except as otherwise allowed below, the use of all off-street parking areas shall be limited to the parking of licensed and operable vehicles not for lease, rent, or sale. Within residentially zoned property, only licensed and operable cars and trucks with a rated gross vehicle weight of 26,000 pounds or less shall be parked or kept in parking areas or any other exterior location. The use of parking spaces and their circulation areas for purposes such as seasonal sales and snow storage shall be permitted only if sufficient parking spaces remain available to meet the parking requirements of this chapter and normal traffic and pedestrian movement and safety is not impeded.</p>	<p>(3) <b>Snow storage area not shown. Corrected, snow storage shown on the south side of the lot.</b></p>
<p>(4) <b>Traffic Circulation and Traffic Control.</b> Site circulation shall be designed to provide for the safe and efficient movement of all traffic entering, exiting, and on the site. Circulation shall be provided to meet the individual needs of the site with specific mixing of access and through movements, and where required, shall be depicted on the required site plan. Circulation patterns and traffic control measures shall conform to the general rules of the road and the requirements of the Manual of Uniform Traffic Control Devices.</p>	<p>(4) <b>Does not meet requirements – the plan does not account for safe pedestrian traffic. See staff note on plan. Traffic is does not only include motorized vehicles, but also pedestrian movement, bicycles and other forms of alternative transportation. A sidewalk connecting the street sidewalk and the entrance to the building is required. A sidewalk has been added from the street sidewalk into the property, but does not connect to the entrance of the building.</b></p>
<p>(5) <b>Installation and Maintenance of Off-Street Parking and Traffic Circulation Areas.</b> All off-street parking and traffic circulation areas shall be completed prior to building occupancy and shall be maintained in a dust-free condition at all times. No off-street parking or traffic circulation area may be used as a storage area, for materials or for snow.</p>	<p>(5) Meets requirements</p>
<p>(6) <b>Off-Street Parking and Traffic Circulation Design Standards.</b></p> <p>(a) Surfacing. All off-street parking, driveway, and traffic circulation areas constructed after March 18, 2015, including residential driveways, shall be surfaced and continuously maintained with a hard surface as defined in Section 94.17.04</p> <p>(b) Marking. All hard-surfaced areas intended for six or more parking stalls shall be striped in a manner that clearly indicates the boundaries of required parking spaces.</p> <p>(c) Curbing. For developments that require site plan approval under this Chapter, construction of curb and gutter shall be required around all parking, driveway, and other vehicular access areas and landscaped islands and peninsulas. The site plan approval authority may modify this standard to facilitate a unique stormwater management approach or condition, for lightly traveled service drives, at the edges of a phase of development of a parking area, for material or snow storage areas, or for approved gravel surfaced areas.</p> <p>(d) Lighting. All off-street parking and traffic circulation areas serving six or more cars shall be lit so as to ensure the safe and efficient use of said areas during the hours of use, with said illumination level shall not exceed the standards of Section 94.12.11.</p> <p>(e) Access. Each required off-street parking space shall open directly upon an aisle or driveway that is wide enough and designed to provide a safe and efficient means of vehicular</p>	<p>(a) Meets Requirements – 3” asphalt with 8” aggregate</p> <p>(b) Meets requirements</p> <p>(c) Meets Requirements – 8” reject curb and mountable curb proposed</p>

<p>access to the parking space without directly backing or maneuvering a vehicle into a public right-of-way. All off-street parking and traffic circulation facilities shall be designed with an appropriate means of vehicular access to a street or alley, in a manner that least interferes with traffic movements. Off-street parking spaces for residential uses may be stacked or in front of one-another for the same dwelling unit. Parking spaces located behind an enclosed garage and located directly off a through aisle shall be a minimum of 30 feet deep.</p> <p>(f) Signage. All signage located within, or related to, required off-street parking or traffic circulation areas shall comply with the requirements of Article 13.</p> <p>(g) Handicapped Parking Spaces. Parking for the handicapped shall be provided at a size, number, location, and with signage as specified by State and Federal regulations.</p> <p>(h) Parking Space Design Standards. Other than parking required to serve the handicapped, the minimum required length of parking spaces shall be 18 feet and the minimum required width is 10 feet (8½ feet for end spaces). All parking spaces shall have a minimum vertical clearance of 8 feet.</p> <p>(i) Parking Lot Design Standards. Horizontal widths for driveways serving parking spaces shall be no less than 24 feet for two-way driveways and 12 feet for one-way driveways, except that wider driveways may be required for loading and service routes. Parking lot landscaping shall comply with the requirements of the hard and gravel surface area landscaping requirements in Section 94.11.02(3)(b).</p>	<p>(d) <b>No lighting plan submitted. Please verify that no additional lighting is planned for parking lot and building. A lighting plan has been submitted, but it does not sufficiently light the entire parking area, which may be a safety concern. The entire lot should be lit to at least 1 foot candle.</b></p>
	<p>(e) Meets requirements – all openings at least 24’</p>
	<p>(f) No circulation signage submitted</p>
	<p>(g) Meets requirements – 2 spaces proposed</p>
	<p>(h) The end spaces that are next to curb must be 10’ wide as well. Only those that are at the end of the row may be 8.5’</p>
	<p>(i) Meets Requirements</p>
<p>(7) <b>Calculation of Minimum Required Parking Spaces.</b> The minimum number of required parking spaces is stated for each land use in Article 4.</p>	<p>(7) 39 spaces are proposed</p>
<p>(10) <b>Limit on the Maximum Number of Required Parking Spaces.</b> No site plan may be approved for a multi-family residential or non-residential use that contains more than 150</p>	<p>(10) <b>Exceeds – code currently allows for a maximum of 15 spaces based on the use. Need to address.</b></p>

percent of the use's minimum number of required parking spaces under Article 4, except by conditional use permit.	
(12) <b>Locational Prohibitions for Off-Street Parking Areas.</b> Off-street parking shall not be located between the principal structure on a residential lot and a street right-of-way, except within residential driveways and parking lots designated on any approved site plan. No private parking shall occur on street terraces, driveways, or any other areas located within a public right-of-way, except by conditional use permit. See also Section 94.12.07(9) and Figures 5.01(2) and 5.02(2).	(12) Meets requirements.
(13) <b>Minimum Permitted Throat Length.</b> All uses requiring site plan approval shall have a minimum permitted throat length of access drives serving parking lots of 20 feet from the nearest street right-of-way, except as modified by the site plan approval authority based on unique site conditions or suitable assurance that traffic will not back up into public rights-of-way.	(13) Meets requirements.
(14) <b>Bicycle Parking.</b> A number of off-street bicycle parking spaces shall be provided equal to five percent of the automobile parking space requirement, with no fewer than two bicycle parking spaces provided for all uses requiring 20 or more vehicular parking spaces. Each "Inverted-U" or similar type rack counts as two bicycle parking spaces. All bicycle parking shall be on a hard-surfaced area in a location accessible to building entrances.	(14) <b>No bicycle parking shown on plan. Corrected, a bike storage area is shown. A minimum of two spaces shall be provided per the specifications of this subsection.</b>
<b>Section 94.12.11: Exterior Lighting Standards</b>	
(2) <b>Applicability.</b> The requirements of this Section apply to all exterior lighting and all interior light visible from the exterior on private property within the jurisdiction of this Chapter, except for lighting within public rights-of-way; on communications towers or airports, heliports, helipads, or other similar facilities where required to meet federal and state safety regulations; and as excepted in subsection (10).	(2) <b>No lighting plan submitted - SST</b>
(4) <b>Orientation of Fixture.</b> In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a clear shield) is visible from a residentially zoned property or allowed to direct light skyward. Shielded luminaries and careful fixture placement shall be used to ensure that exterior lighting prevents direct lighting above a horizontal plane, except that architectural lighting that focuses all light below the roof line may exceed the horizontal plane. Search lights are prohibited except for any search light deemed necessary by the FAA.	(4)
(5) <b>Intensity of Illumination.</b> The amount of illumination attributable to exterior lighting, as measured at the property line, shall not exceed 1.0 footcandle above ambient lighting conditions on a cloudless night. The maximum average lighting within any lit area shall not exceed 5.0 footcandles, except where the Zoning Administrator determines that greater illumination is necessary for public safety.	(5)
(6) <b>Fixture Heights.</b> The maximum height from the base of the pole or its support to the fixture shall be 20 feet in residential, rural, and open space zoning districts, and 35 feet in all other districts.	(6)
(7) <b>Location.</b> Light fixtures shall not be located within any required bufferyard under this Chapter, or closer than three feet from a property line.	(7)
(8) <b>Flashing, Flickering and other Distracting Lighting.</b> Flashing, flickering, moving (such as search spot or search lights), and/or other lighting that may distract motorists is prohibited.	(8)

<p>(9) <b>Qualitative Requirements.</b> Design and color of light fixtures and poles shall be compatible with building design and color on the same lot. Street intersections, driveway intersections, and pedestrian access routes shall be illuminated with lights of appropriate scale to the function, without providing an obviously uneven illumination pattern across the site.</p>	(9)
<p>(10) <b>Exceptions.</b> The appropriate site plan approval authority may grant exceptions to the requirements of this Section in the following circumstances:</p> <ul style="list-style-type: none"> <li>(a) Outdoor recreation use and assembly areas such as athletic fields.</li> <li>(b) Gas station pump islands and other uses in which motor vehicles and pedestrians routinely operate in close proximity with one another. Use of recessed canopy lighting to minimize off-site impacts may be required.</li> <li>(c) Lighting for special events, per an approved special event permit under Chapter 67 of the Municipal Code.</li> </ul>	(10)
<p>(11) <b>Nonconforming Lighting.</b> All lighting fixtures existing prior to the effective date of this Chapter shall be considered legal conforming structures and may be continued (see Article 15). However, as part of a site plan approval for a new, expanded, or remodeled project or use on the same site, the site plan approval authority may require that such lighting be reoriented to achieve greater or full compliance with this Section.</p>	(11)

<b>UTILITIES: Chapter 86</b> <b>Section 86.117: Cross Connections</b>	<b>PROPOSED</b>
<p>(c) Control and maintenance of connections. No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the village unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the water utility and by the department of natural resources in accordance with Wisconsin Administrative Code NR § 811.09(2).</p>	
<b>Section 86.136: Meter Installation</b>	
<p>Meters will be furnished and placed by the water utility and are not to be disconnected or interfered with by the consumer. All meters shall be so located that they shall be preserved from obstructions and allow easy access for reading and inspection, such location to be designated by the utility. All piping within the building must be supplied by the consumer. If additional meters are desired by the consumer, he shall pay for all piping in an amount sufficient to cover the cost of maintenance and depreciation as set by the board.</p>	
<b>Section 86.307 Post Construction Storm water Management Performance Standards</b>	
<p>(3) The plan required under sub. (2) shall include the following:</p> <ul style="list-style-type: none"> <li>(a) BMPs shall be designed, installed and maintained to control total suspended solids carried in runoff from the post-construction site as follows:</li> </ul>	(a)

<p>New Development → 80% TSS Reduction  In-fill development → 80% TSS Reduction  Redevelopment → 40% TSS Reduction of load from parking areas and roads.</p>	(b)
<p>(b) By design, BMPs shall be employed to maintain or reduce the 1-year, 2-year, 10-year and 100-year 24-hour, post construction peak runoff discharge rates to pre-development rates for the respective storms, or to the maximum extent practicable.</p>	(c)
<p>(c) BMPs shall be designed, installed and maintained to infiltrate runoff in accordance with 86.307(3)(c) or to the maximum extent practicable.</p>	(d)
<p>(d) Protective areas shall be included on site plans (see this section of the ordinance for the respective distances for protective areas)  (e) Fueling and vehicle maintenance areas shall have BMPs designed, installed and maintained to reduce petroleum runoff so that the runoff that enters waters of the state contains no visible petroleum sheen, or to the maximum extent practicable.</p>	(e)

**Section 86.309 Storm water Management Plan**

**(1) PLAN REQUIREMENTS.** The storm water management plan required under Sec. 86.308 (2) shall contain at a minimum the following information:

- (a) Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of storm water management practices; and person(s) responsible for maintenance of storm water management practices prior to the transfer, if any, of maintenance responsibility to another party.
- (b) A proper legal description of the property proposed to be developed, referenced to the U.S. Public Land Survey system or to block and lot numbers within a recorded land subdivision plat.
- (c) Pre-development site conditions, including:
  1. One or more site maps at a scale of not less than 1 inch equals 20 feet. The site maps shall show the following: site location and legal property description; predominant soil types and hydrologic soil groups; existing cover type and condition; topographic contours of the site at a scale not to exceed 10 feet; topography and drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; watercourses that may affect or be affected by runoff from the site; flow path and direction for all storm water conveyance sections; watershed boundaries used in hydrology determinations to show compliance with performance standards; lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site; limits of the 100 year floodplain; location of wells and wellhead protection areas covering the project area and delineated pursuant to Wisconsin Department of Natural Resources, Wisconsin Administrative Code § NR § 811.16.
  2. Hydrology and pollutant loading computations as needed to show compliance with performance

What is the total disturbed area for the site? This should be noted somewhere on the application and/or erosion control plan. If I highlight the area that appears to be disturbed on the grading and erosion control plan, I get just over an acre of disturbed area. This needs to be shown. If over an acre is disturbed, onsite detention will be necessary. This could possibly be accommodated along the north side between the parking lot and sidewalk, similar to several other sites along Schofield Ave.

standards. All major assumptions used in developing input parameters shall be clearly stated. The geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s).

(d) Post-development site conditions, including:

1. Explanation of the provisions to preserve and use natural topography and land cover features to minimize changes in peak flow runoff rates and volumes to surface waters and wetlands.

2. Explanation of any restrictions on storm water management measures in the development area imposed by wellhead protection plans and ordinances.

3. One or more site maps at a scale of not less than 1 inch equals 20 feet showing the following: post-construction pervious areas including vegetative cover type and condition; impervious surfaces including all buildings, structures, and pavement; post-construction topographic contours of the site at a scale not to exceed 10 feet; post-construction drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; locations and dimensions of drainage easements; locations of maintenance easements specified in the maintenance agreement; flow path and direction for all storm water conveyance sections; location and type of all storm water management conveyance and treatment practices, including the on-site and off-site tributary drainage area; location and type of conveyance system that will carry runoff from the drainage and treatment practices to the nearest adequate outlet such as a curbed street, storm drain, or natural drainage way; watershed boundaries used in hydrology and pollutant loading calculations and any changes to lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.

4. Hydrology and pollutant loading computations as needed to show compliance with performance standards. The computations shall be made for each discharge point in the development, and the geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s).

5. Results of investigations of soils and groundwater required for the placement and design of storm water management measures. Detailed drawings including cross-sections and profiles of all permanent storm water conveyance and treatment practices.

(e) A description and installation schedule for the storm water management practices needed to meet the performance standards in Sec. 86.307.

(f) A maintenance plan developed for the life of each storm water management practice including the required maintenance activities and maintenance activity schedule.

(g) Cost estimates for the construction, operation, and maintenance of each storm water management practice.

(h) Other information requested in writing by the Director of Public Works, or the designee, to determine compliance of the proposed storm water management measures with the provisions of this ordinance.

<p>(i) All site investigations, plans, designs, computations, and drawings shall be certified by a licensed professional engineer to be prepared in accordance with accepted engineering practice and requirements of this ordinance.</p>	
<p>(2) <b>ALTERNATE REQUIREMENTS.</b> The Director of Public Works, or the designee, may prescribe alternative submittal requirements for applicants seeking an exemption to on-site storm water management performance standards under Sec. 86.307 (5).</p>	
<p><b>Section 86.310 Maintenance Agreement</b></p>	
<p>(1) The maintenance agreement for storm water management practices shall be an agreement between the Village of Weston and the responsible party to provide for maintenance of storm water practices beyond the duration period of the permit. Maintenance agreements shall be filed with the County Register of Deeds as a property deed restriction that is binding upon all subsequent owners served by the storm water management practices.</p>	
<p>(2) <b>AGREEMENT PROVISIONS.</b> The maintenance agreement shall contain the following information and provisions and be consistent with the maintenance plan required by Sec. 86.309(1)(f):</p> <p>(a) Identification of the storm water facilities and designation of the drainage area served by the facilities.</p> <p>(b) A schedule for regular maintenance of each aspect of the storm water management system consistent with the storm water management plan required under Sec. 86.308 (2).</p> <p>(c) Identification of the responsible party(s), organization or city, county, town or village responsible for long term maintenance of the storm water management practices identified in the storm water management plan required under Sec. 86.308 (2).</p> <p>(d) Requirement that the responsible party(s), organization, or city, county, town or village shall maintain storm water management practices in accordance with the schedule included in par. (b).</p> <p>(e) Authorization for the Director of Public Works, or the designee, to access the property to conduct inspections of storm water management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.</p> <p>(f) A requirement on the Director of Public Works, or the designee, to maintain public records of the results of the site inspections, to inform the responsible party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the storm water management practice into proper working condition.</p> <p>(g) Agreement that the party designated under par. (c), as responsible for long term maintenance of the storm water management practices, shall be notified by the Director of Public Works, or the designee, of maintenance problems which require correction. The specified corrective actions shall be undertaken within a reasonable time frame as set by the Director of Public Works, or the designee.</p> <p>(h) Authorization of the Director of Public Works, or the designee, to perform the corrected actions identified in the</p>	<p>(a)</p>
	<p>(b)</p>
	<p>(c)</p>
	<p>(d)</p>
	<p>(e)</p>
	<p>(f)</p>
	<p>(g)</p>

<p>inspection report if the responsible party designated under par. (c) does not make the required corrections in the specified time period. The Director of Public Works, or the designee, shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to Wis. Stats. Chapter 66 Subchapter VII.</p>	<p>(h)</p>
<p><b>Section 86.404 Construction Site Erosion</b></p>	
<p>Applicability:</p> <ol style="list-style-type: none"> <li>1. Construction sites for which the Wisconsin Department of Natural Resources received a notice of intent in accordance with Wisconsin Administrative Code NR 216 Subchapter III on or after January 20, 2014; or</li> <li>2. Construction sites for which a bid has been advertised or construction contract signed for which no bid was advertised, on or after January 20, 2014.</li> </ol>	
<p><b>Section 86.407 Performance Standards &lt; 1 Acres</b></p>	
<p>(1) RESPONSIBLE PARTY. The landowner of the construction site or other person contracted or obligated by other agreement with the landowner to implement and maintain construction site BMPs is the responsible party and shall comply with this section.</p>	
<p>(2) EROSION AND SEDIMENT CONTROL PRACTICES. Erosion and sediment control practices at each site where land disturbing construction activity is to occur shall be used to prevent or reduce all of the following:</p> <ol style="list-style-type: none"> <li>1. The deposition of soil from being tracked onto streets by vehicles.</li> <li>2. The discharge of sediment from disturbed areas into on-site storm water inlets.</li> <li>3. The discharge of sediment from disturbed areas into adjacent waters of the state.</li> <li>4. The discharge of sediment from drainage ways that flow off the site.</li> <li>5. The discharge of sediment by dewatering activities.</li> <li>6. The discharge of sediment eroding from soil stockpiles existing for more than 7 days.</li> <li>7. The discharge of sediment from erosive flows at outlets and in downstream channels.</li> <li>8. The transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this subdivision.</li> </ol>	<p>When staff met with Briq's staff and Engineers earlier, there was mention of a swale to be incorporated along the north side of the parking lot (between the sidewalk and parking lot) as well as on the east side of the property. There is a note on the grading plan about a swale, but it is only for a small section on the SE corner of the parking lot. It should be shown where this swale continues and/or what the plan is for water off the site. There should be an effort made to capture water onsite and not just have everything drain onto Schofield Ave. Some swales along the north side would be able to do this. It appears it is an 8% slope right now.</p> <p><b>Swales are required on-site to help prevent street flooding on Schofield Avenue in large rain events. This is to be incorporated in the green space on the north and east sides of the lot.</b></p>
<p><b>Section 86.408 Performance Standards &gt; 1 Acre</b></p>	
<p>(1) RESPONSIBLE PARTY. The responsible party shall implement an erosion and sediment control plan, developed in accordance with Sec. 86.410 that incorporates the requirements of this section.</p>	
<p>(2) PLAN. A written plan shall be developed in accordance with Sec. 86.410 and implemented for each construction site.</p>	
<p>(3) EROSION AND SEDIMENT CONTROL PRACTICES. Erosion and sediment control practices at each site where land disturbing construction activity is to occur shall be used to prevent or reduce all of the following:</p> <ol style="list-style-type: none"> <li>1. The deposition of soil from being tracked onto streets by vehicles.</li> </ol>	

<ol style="list-style-type: none"> <li>2. The discharge of sediment from disturbed areas into on-site storm water inlets.</li> <li>3. The discharge of sediment from disturbed areas into adjacent waters of the state.</li> <li>4. The discharge of sediment from drainage ways that flow off the site.</li> <li>5. The discharge of sediment by dewatering activities.</li> <li>6. The discharge of sediment eroding from soil stockpiles existing for more than 7 days.</li> <li>7. The discharge of sediment from erosive flows at outlets and in downstream channels.</li> <li>8. The transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this subdivision.</li> <li>9. The transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.</li> </ol>	
<p>(b) <b>SEDIMENT PERFORMANCE STANDARDS.</b> In addition to the erosion and sediment control practices under par. (a), the following erosion and sediment control practices shall be employed:</p> <ol style="list-style-type: none"> <li>1. BMPs that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.</li> <li>2. No person shall be required to employ more BMPs than are needed to meet a performance standard in order to comply with maximum extent practicable. Erosion and sediment control BMPs may be combined to meet the requirements of this paragraph. Credit may be given toward meeting the sediment performance standard of this paragraph for limiting the duration or area, or both, of land disturbing construction activity, or for other appropriate mechanisms.</li> <li>3. Notwithstanding subd. 1., if BMPs cannot be designed and implemented to meet the sediment performance standard, the plan shall include a written, site-specific explanation of why the sediment performance standard cannot be met and how the sediment load will be reduced to the maximum extent practicable.</li> </ol>	
<p>(c) <b>PREVENTIVE MEASURES.</b> The plan shall incorporate all of the following:</p> <ol style="list-style-type: none"> <li>1. Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.</li> <li>2. Minimization of soil compaction and preservation of topsoil.</li> <li>3. Minimization of land disturbing construction activity on slopes of 20% or more.</li> <li>4. Development of spill prevention and response procedures.</li> </ol>	
<p>(5) <b>ALTERNATE REQUIREMENTS.</b> The Director of Public Works, or the designee, may establish storm water management requirements more stringent than those set forth in this section if the Director of Public Works, or the designee, determines that an added level of protection is needed for sensitive resources.</p>	

**Updated General Site Plan**

**KEYED NOTES**

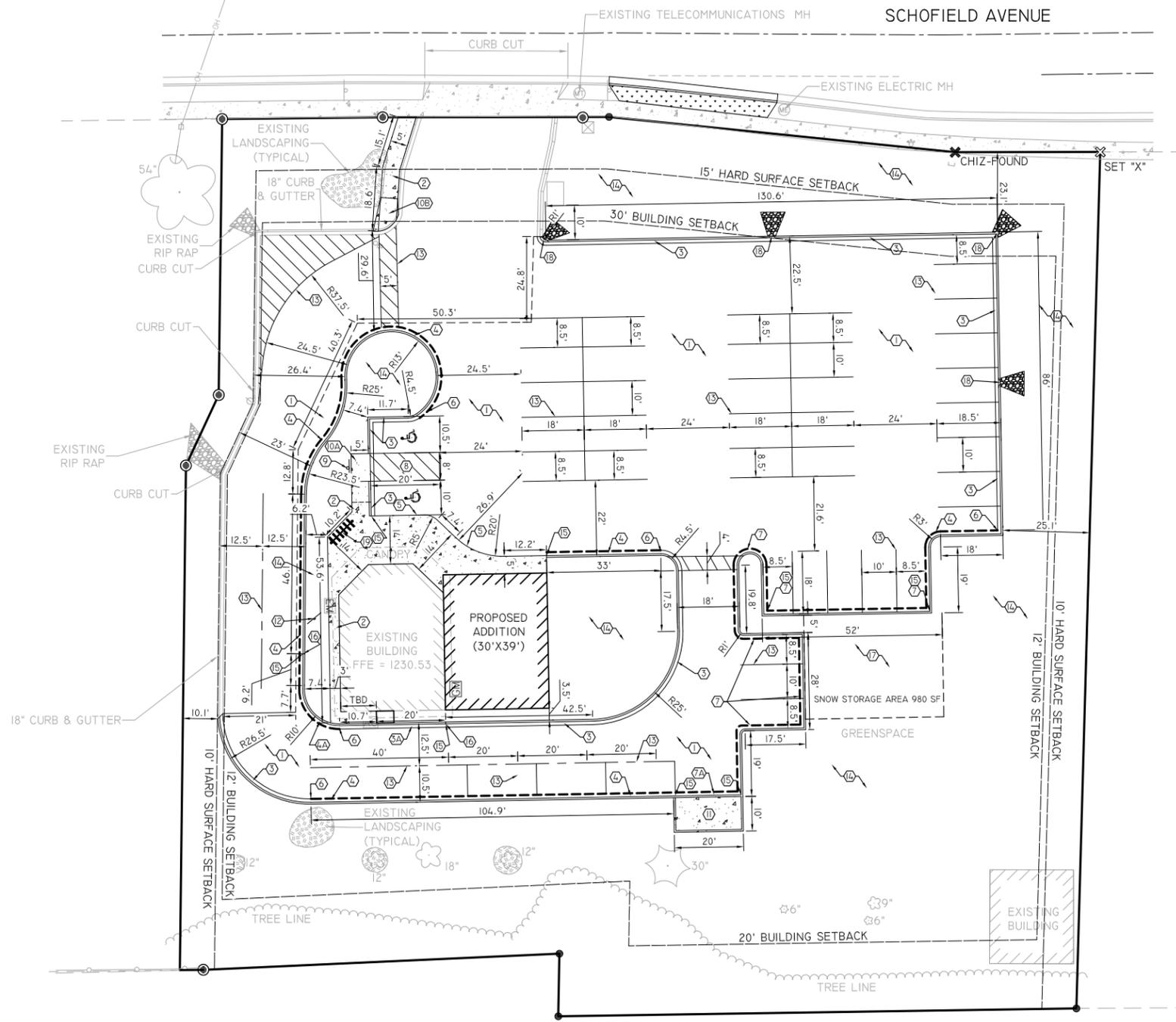
1. ASPHALT PAVEMENT. SEE DETAIL A/C.I.1.
2. 4" CONCRETE SIDEWALK. SEE DETAIL B/C.I.1.
3. 18" CURB AND GUTTER, SEE DETAIL C/C.I.1.
- 3A. 18" CURB AND GUTTER WITH 4" HEAD, SEE DETAIL C/C.I.1.
4. 18" REJECT CURB AND GUTTER, SEE DETAIL C/C.I.1.
- 4A. 18" REJECT CURB AND GUTTER WITH 4" HEAD, SEE DETAIL C/C.I.1.
5. SIDEWALK WITH INTEGRAL CURB. SEE DETAIL D/C.I.1.
6. TRANSITION CURB & GUTTER. SEE DETAIL E/C.I.1.
7. 18" REJECT MOUNTABLE CURB & GUTTER. SEE DETAIL F/C.I.1.
- 7A. 18" REJECT MOUNTABLE CURB WITH OUT CURB HEAD.
8. HANDICAP PARKING SPACES & STRIPING. SEE DETAIL G/C.I.1.
9. VAN ACCESSIBLE HANDICAP SIGN WITH DOUBLE ARROW. SEE DETAIL H/C.I.1.
- 10A. TYPE 1 HANDICAP RAMP. SEE DETAIL I/C.I.1.
- 10B. TYPE 2 HANDICAP RAMP. SEE DETAIL I/C.I.1.
11. 10' X 20' REFUSE AREA- 6" CONCRETE PAD WITH 6"X6" WELDED WIRE MESH. REFER TO ARCHITECTURAL PLANS FOR ENCLOSURE DETAILS.
12. DRIVE-THRU SIGN AND ORDER STATION (BY OTHERS).
13. PAINTED STRIPING, YELLOW. (TYPICAL)
14. LANDSCAPED AREA.
15. CURB TYPE CHANGE. PROVIDE CLEAN TRANSITION.
16. 6" CURB HEAD REDUCED TO 4".
17. SNOW STORAGE AREA.
18. INSTALL CONCRETE FLUME. SEE DETAIL J/C.I.1.
19. BIKE STORAGE AREA.

**NOTES:**

(A) BUILDINGS AND PARKING SPACES ARE PARALLEL AND PERPENDICULAR TO EXISTING BUILDING, AS TAKEN FROM THE SURVEY.

(B) ALL DIMENSIONS ARE TO THE BACK OF CURB OR FACE OF INTEGRAL CURB, UNLESS OTHERWISE NOTED.

(C) PRIVATE UTILITY COORDINATION INCLUDING GAS, ELECTRIC, AND TELECOMMUNICATIONS SHALL BE COORDINATED BY THE CONTRACTOR.



EXISTING STM INL  
RIM ELEV=1219.64  
12IN RCP(N)=1216.8

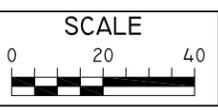


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**REI CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING**



DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**SITE PLAN**  
BRIG'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

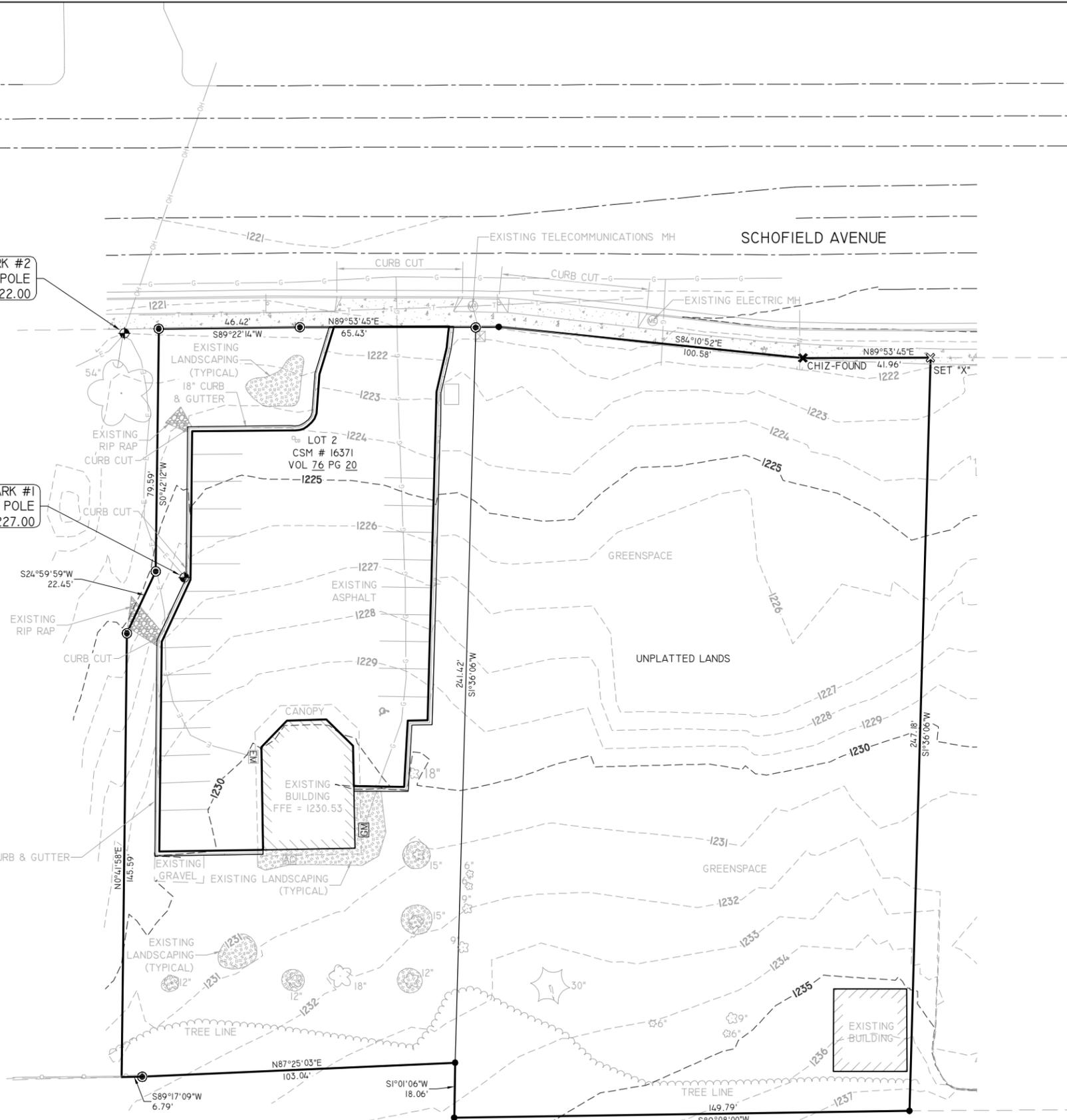
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REI No. 3991A  
SHEET CI



EXISTING STM INL  
RIM ELEV.=1219.64  
12IN RCP(N)=1216.8

BENCHMARK #2  
60D NAIL IN POWER POLE  
ELEV.=1222.00

BENCHMARK #1  
60D NAIL IN LIGHT POLE  
ELEV.=1227.00



**SURVEY NOTES:**

1. FIELDWORK PERFORMED BY REI ON 12/07/2015.
2. TITLE WORK FOR THE PROJECT SITE WAS NOT PROVIDED TO REI FOR REVIEW, THEREFORE REI WAS UNABLE TO VERIFY THE EXISTENCE OF EASEMENTS OR OTHER ENCUMBRANCES OUTSIDE OF WHAT WAS FOUND DURING TOPOGRAPHIC SURVEY AND BOUNDARY MAPPING.
3. INFORMATION SHOWN WITH RESPECT TO EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS MAP ARE BASED ON AVAILABLE DOCUMENTATION AND MARKINGS PLACED BY OTHERS. THESE LOCATIONS MAY OR MAY NOT REFLECT THE ACTUAL LOCATION OF THESE UTILITIES.
4. PRIVATE UTILITIES WERE NOT MARKED OR MAPPED AS A PART OF THIS SURVEY.
5. REI DID NOT VERIFY THE PRESENCE OF WETLANDS. AREAS OF CONCERN SHALL BE VERIFIED PRIOR TO LAND DISTURBANCE.
6. ELEVATIONS AS SHOWN ON THE MAP ARE BASED ON THE NAVD 88 DATUM AND ESTABLISHED BY THE WISCORS NETWORK.
7. ELEVATIONS AT BUILDING CORNERS ARE GROUND ELEVATIONS LOCATED OUTSIDE OF THE BUILDING.
8. BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD 83(2011) DATUM AND REFERENCED TO THE SOUTH LINE OF LOT 2 OF CSM #16371 MEASURED TO BEARING N87°25'03".

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**REI Engineering, Inc.**  
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EMAIL: MAIL@REIENGINEERING.COM



**REI CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING**

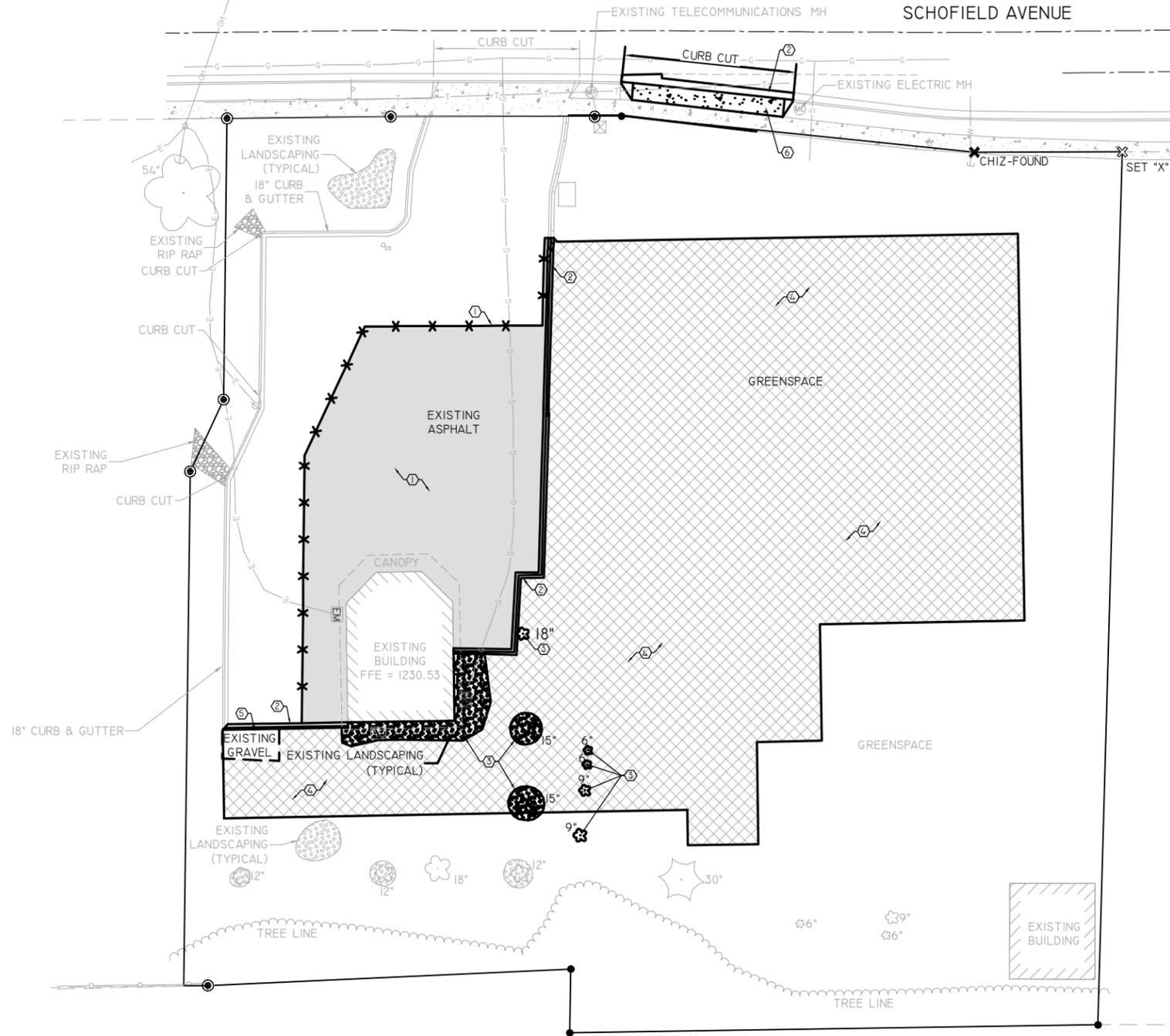


DATE	REVISION	BY	CHK'D	DESIGNED BY:	CHECKED BY:
				SURVEYED BY: <td>APPROVED BY:</td>	APPROVED BY:
				DRAWN BY: NAP	DATE: 02/19/16

**EXISTING SITE CONDITIONS**  
Brio's WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

**REI**  
REI No. 3991A  
SHEET C0

EXISTING STM INL  
RIM ELEV=1219.64  
12IN RCP(N)=1216.8



KEYED NOTES

1. SAWCUT AND REMOVE EXISTING ASPHALT.
2. REMOVE CURB AND GUTTER.
3. REMOVE LANDSCAPING / TREES.
4. REMOVE TOPSOIL.
5. REMOVE GRAVEL AREA.
6. REMOVE CONCRETE DRIVEWAY ENTRANCE.

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**REI Engineering, INC.**  
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EMAIL: MAIL@REIENGINEERING.COM



**REI** CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING



DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**DEMO PLAN**  
BRIG'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

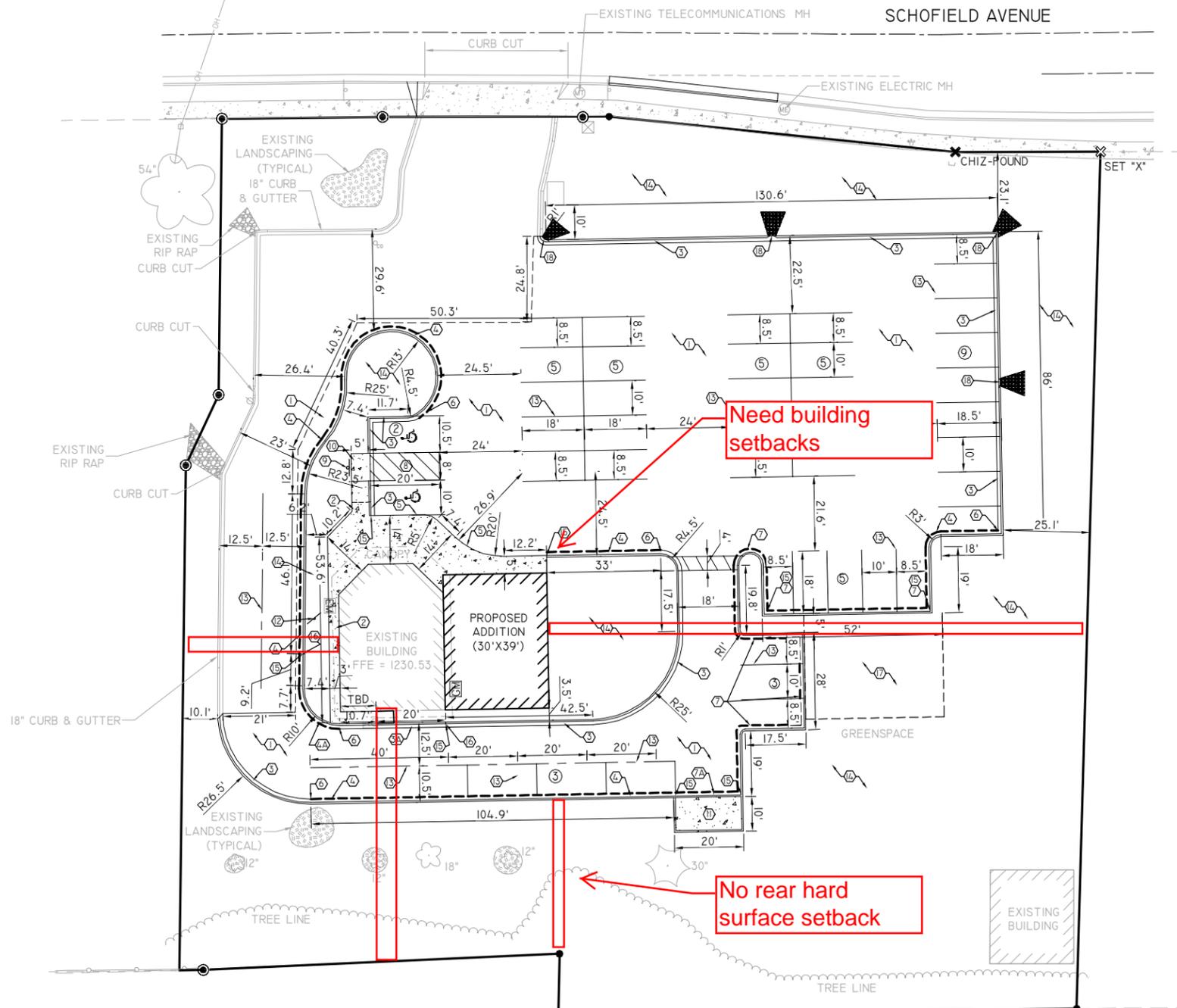
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REI No. 3991A  
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KEYED NOTES

1. ASPHALT PAVEMENT. SEE DETAIL A/C.I.1.
2. 4" CONCRETE SIDEWALK. SEE DETAIL B/C.I.1.
3. 18" CURB AND GUTTER, SEE DETAIL C/C.I.1.
- 3A. 18" CURB AND GUTTER WITH 4" HEAD, SEE DETAIL C/C.I.1.
4. 18" REJECT CURB AND GUTTER, SEE DETAIL C/C.I.1.
- 4A. 18" REJECT CURB AND GUTTER WITH 4" HEAD, SEE DETAIL C/C.I.1.
5. SIDEWALK WITH INTEGRAL CURB. SEE DETAIL D/C.I.1.
6. TRANSITION CURB & GUTTER. SEE DETAIL E/C.I.1.
7. 18" REJECT MOUNTABLE CURB & GUTTER. SEE DETAIL F/C.I.1.
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8. HANDICAP PARKING SPACES & STRIPING. SEE DETAIL G/C.I.1.
9. VAN ACCESSIBLE HANDICAP SIGN WITH DOUBLE ARROW. SEE DETAIL H/C.I.1.
10. TYPE IA HANDICAP RAMP. SEE DETAIL I/C.I.1.
11. 10' X 20' REFUSE AREA- 6" CONCRETE PAD WITH 6"X6" WELDED WIRE MESH. REFER TO ARCHITECTURAL PLANS FOR ENCLOSURE DETAILS.
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15. CURB TYPE CHANGE. PROVIDE CLEAN TRANSITION.
16. 6" CURB HEAD REDUCED TO 4".
17. SNOW STORAGE AREA.
18. INSTALL CONCRETE FLUME. SEE DETAIL J/C.I.1.

NOTES:

- (A) BUILDINGS AND PARKING SPACES ARE PARALLEL AND PERPENDICULAR TO EXISTING BUILDING, AS TAKEN FROM THE SURVEY.
- (B) ALL DIMENSIONS ARE TO THE BACK OF CURB OR FACE OF INTEGRAL CURB, UNLESS OTHERWISE NOTED.
- (C) PRIVATE UTILITY COORDINATION INCLUDING GAS, ELECTRIC, AND TELECOMMUNICATIONS SHALL BE COORDINATED BY THE CONTRACTOR.



EXISTING STORM  
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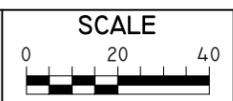
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**REI** CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING

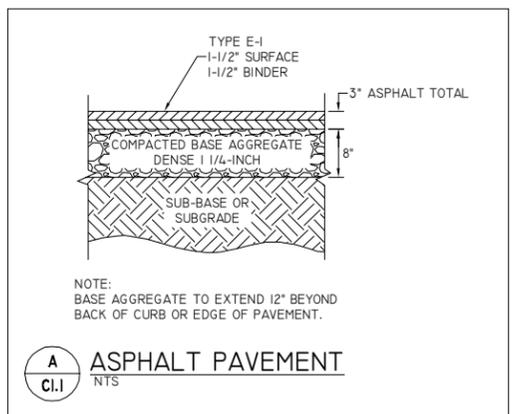


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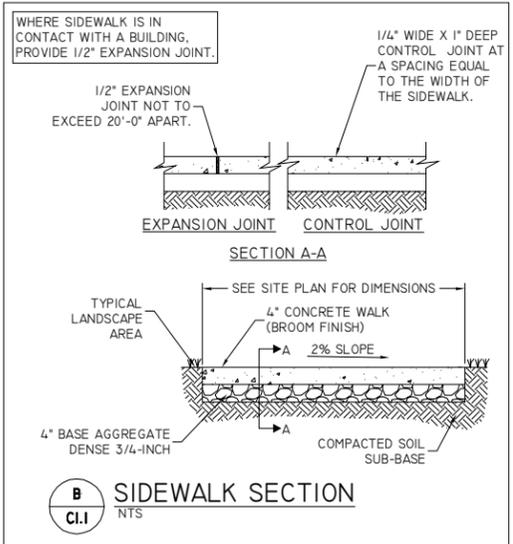
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SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**SITE PLAN**  
BRIG'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

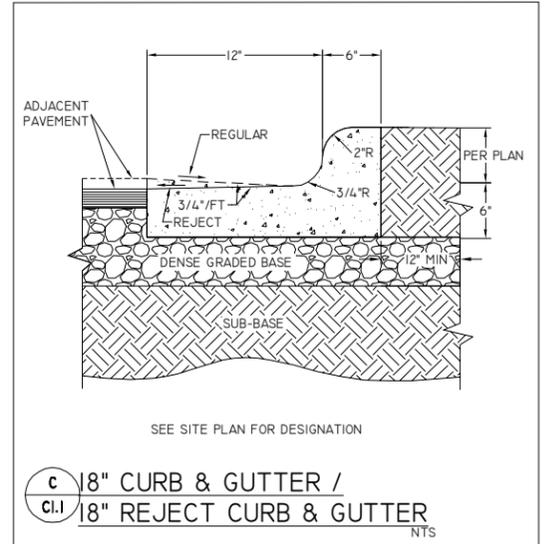
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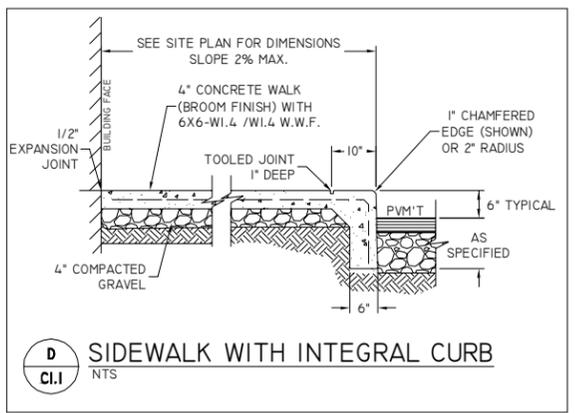
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NTS  
**ASPHALT PAVEMENT**



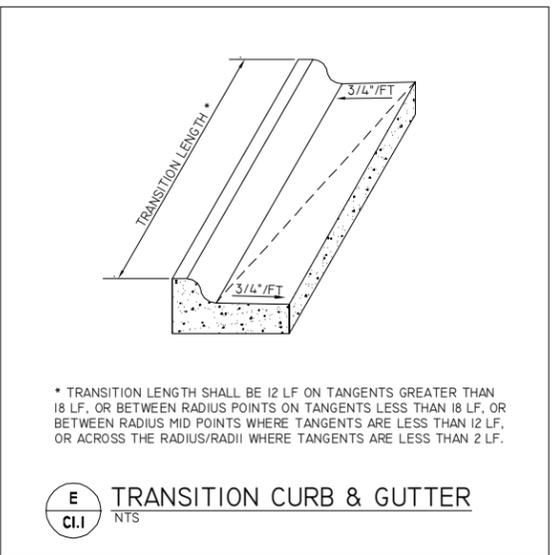
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NTS  
**SIDEWALK SECTION**



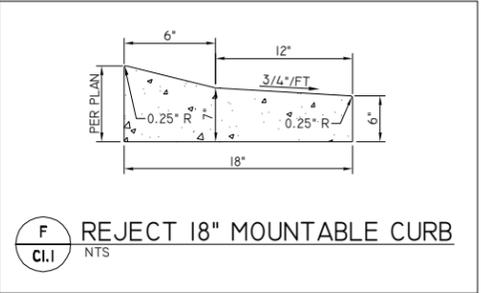
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Cl.I  
NTS  
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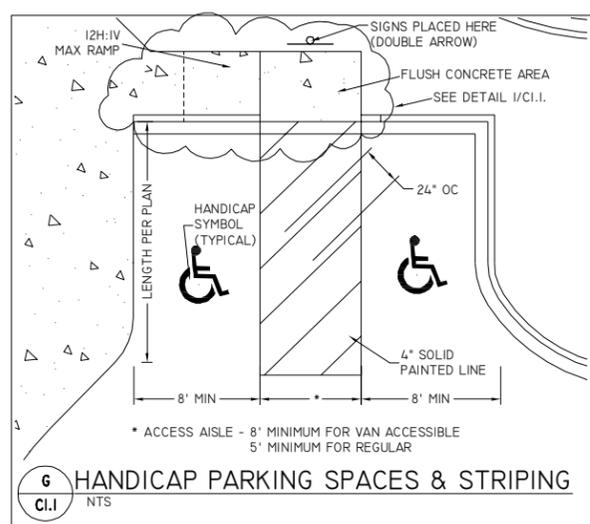
**D**  
Cl.I  
NTS  
**SIDEWALK WITH INTEGRAL CURB**



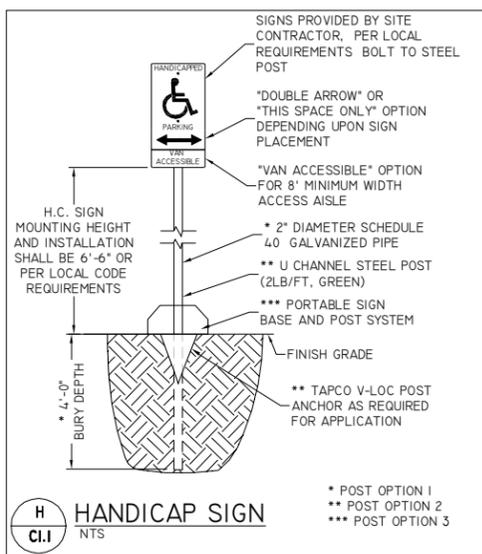
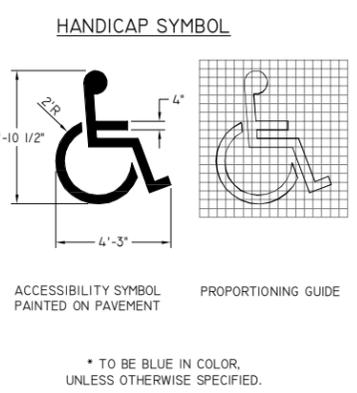
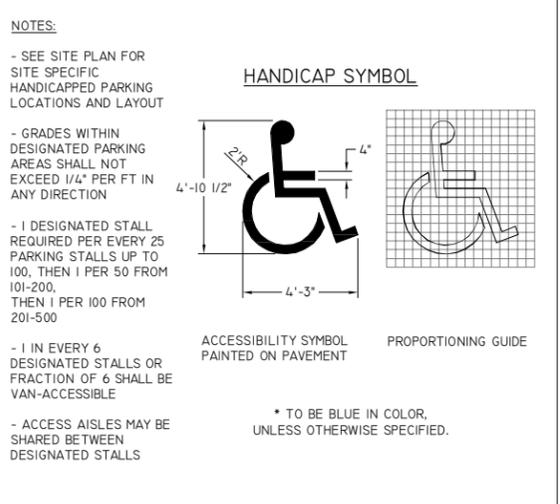
**E**  
Cl.I  
NTS  
**TRANSITION CURB & GUTTER**



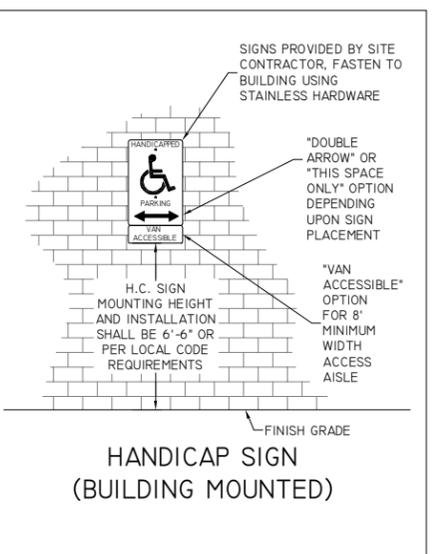
**F**  
Cl.I  
NTS  
**REJECT 18\"/>**



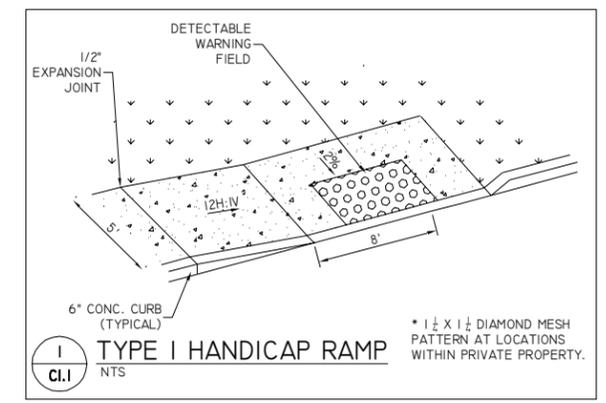
**G**  
Cl.I  
NTS  
**HANDICAP PARKING SPACES & STRIPING**



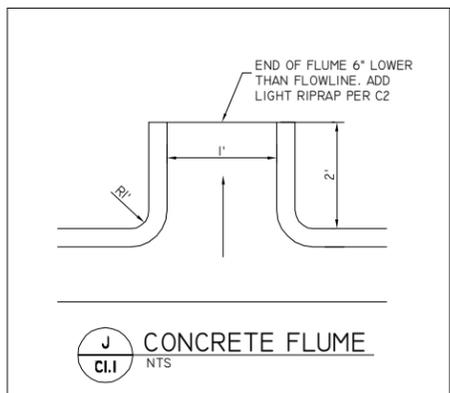
**H**  
Cl.I  
NTS  
**HANDICAP SIGN**



**HANDICAP SIGN (BUILDING MOUNTED)**



**I**  
Cl.I  
NTS  
**TYPE I HANDICAP RAMP**



**J**  
Cl.I  
NTS  
**CONCRETE FLUME**

DRAWING FILE: P:\3900-3999\3991A - BRIGS - WESTON\DWG\PLANS\3991A-CI-1.DWG LAYOUT: Cl.I  
PLOTTED: MAR 17, 2016 - 8:30AM PLOTTED BY: TOM

**REI Engineering, INC.**  
4080 N. 20TH AVENUE  
WAUSAU, WISCONSIN 54401  
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EMAIL: MAIL@REIENGINEERING.COM



**REI CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING**

NO SCALE

DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY:	DATE: 02/19/16

**SITE & HANDICAP DETAILS**  
BRIG'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

**REI**  
REI No. 3991A  
SHEET Cl.I

KEYED NOTES

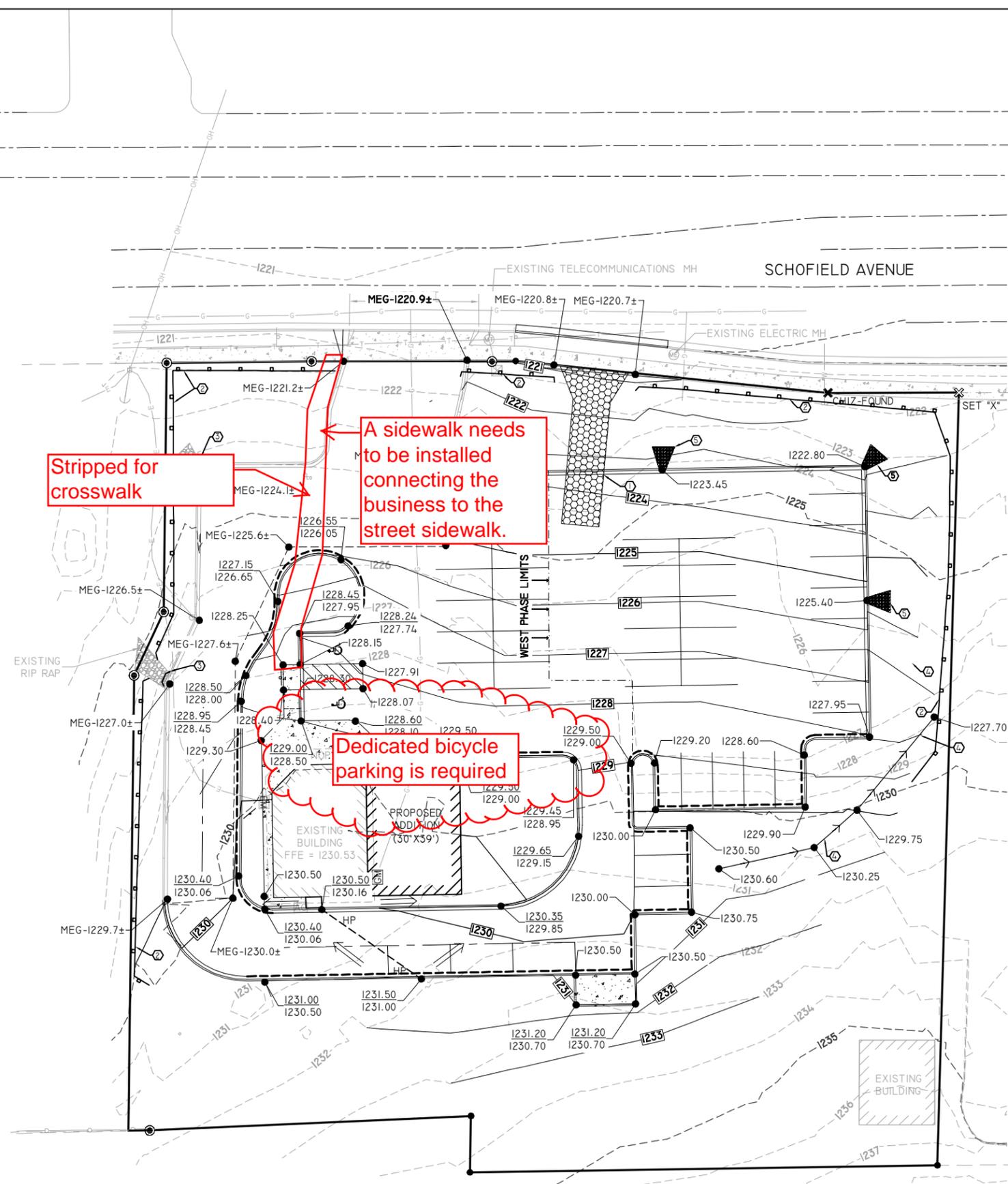
1. TEMPORARY CONSTRUCTION ENTRANCE/EXIT. SEE DETAIL A/C2.1.
2. INSTALL SILT FENCE. SEE DETAIL B/C2.1.
3. INSTALL DITCH CHECKS. SEE DETAIL C/C2.1.
4. INSTALL DIVERSION SWALE @ 1% MINIMUM.
5. RIPRAP DISPERSION PADS. SEE DETAIL D/C2.1.

SUGGESTED SEQUENCING:

- PROVIDE CONSTRUCTION ACCESS
- INSTALL SILT FENCE AND DITCH CHECKS
- SITE REMOVALS
- STRIP TOPSOIL AND GRADE WEST SIDE
- COMPLETE WEST SIDE TO ENSURE STORE REMAINS OPEN
- BUILDING CONSTRUCTION
- STRIP TOPSOIL AND GRADE EAST SIDE
- COMPLETE EAST SIDE IMPROVEMENTS
- FINAL STABILIZATION AND LANDSCAPING

NOTES:

- (A) CONTRACTOR IS RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
- (B) CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND COORDINATING ALL PROPOSED UTILITY RUNS, INSTALLATIONS AND RELOCATIONS.
- (C) CALL DIGGERS HOTLINE @ 811 OR 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.
- (D) INSTALL EROSION MAT ON ALL REVEGETATED SLOPES 4:1 OR GREATER AND WITHIN DIVERSION SWALE BOTTOM (IF APPLICABLE).
- (E) CONTRACTOR SHALL ABIDE BY THE WDNR CONSERVATION PRACTICE STANDARDS FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROL.
- (F) GRADING CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE BETWEEN PROPOSED IMPROVEMENTS AND EXISTING CONTOURS.
- (G) IN AREAS WHERE THE PARKING LOT DRAINS ONTO ADJACENT GRASS AREAS, MAINTAIN ASPHALT 1" ABOVE GRASS.
- (H) SPOT ELEVATIONS SHOWN ALONG CURBLINE DENOTE FLOWLINE UNLESS SPECIFIED. REFER TO LAYOUT PLAN FOR CURB TYPES.



Stripped for crosswalk

A sidewalk needs to be installed connecting the business to the street sidewalk.

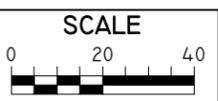
Dedicated bicycle parking is required

DRAWING FILE: P:\3900-3999\3991A - BRIO'S - WESTON\DWG\PLANS\3991A-C2-GRADING-EC.DWG LAYOUT: C2  
PLOTTED: MAR 17, 2016 - 8:31AM PLOTTED BY: TOME

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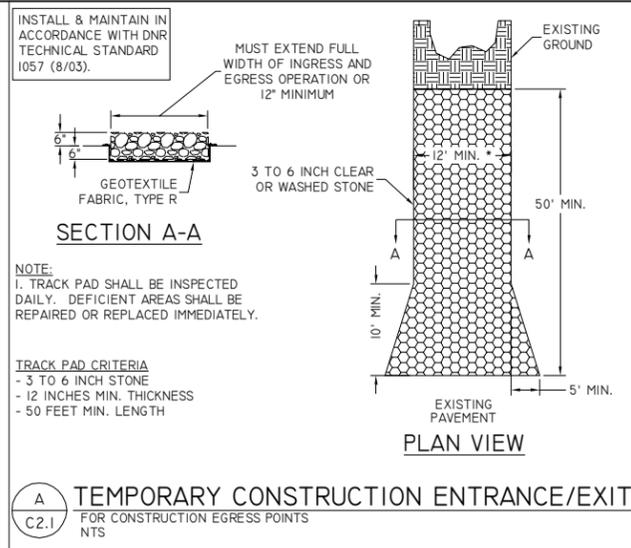


DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**GRADING & EROSION CONTROL PLAN**  
BRIO'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

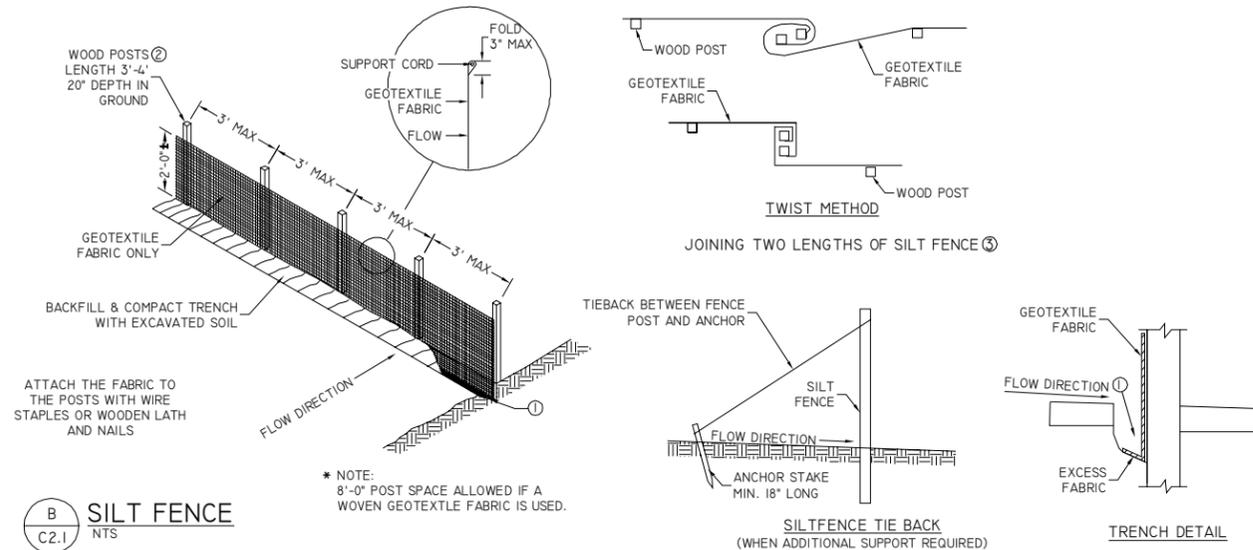
**REI**  
REI No. 3991A  
SHEET C2



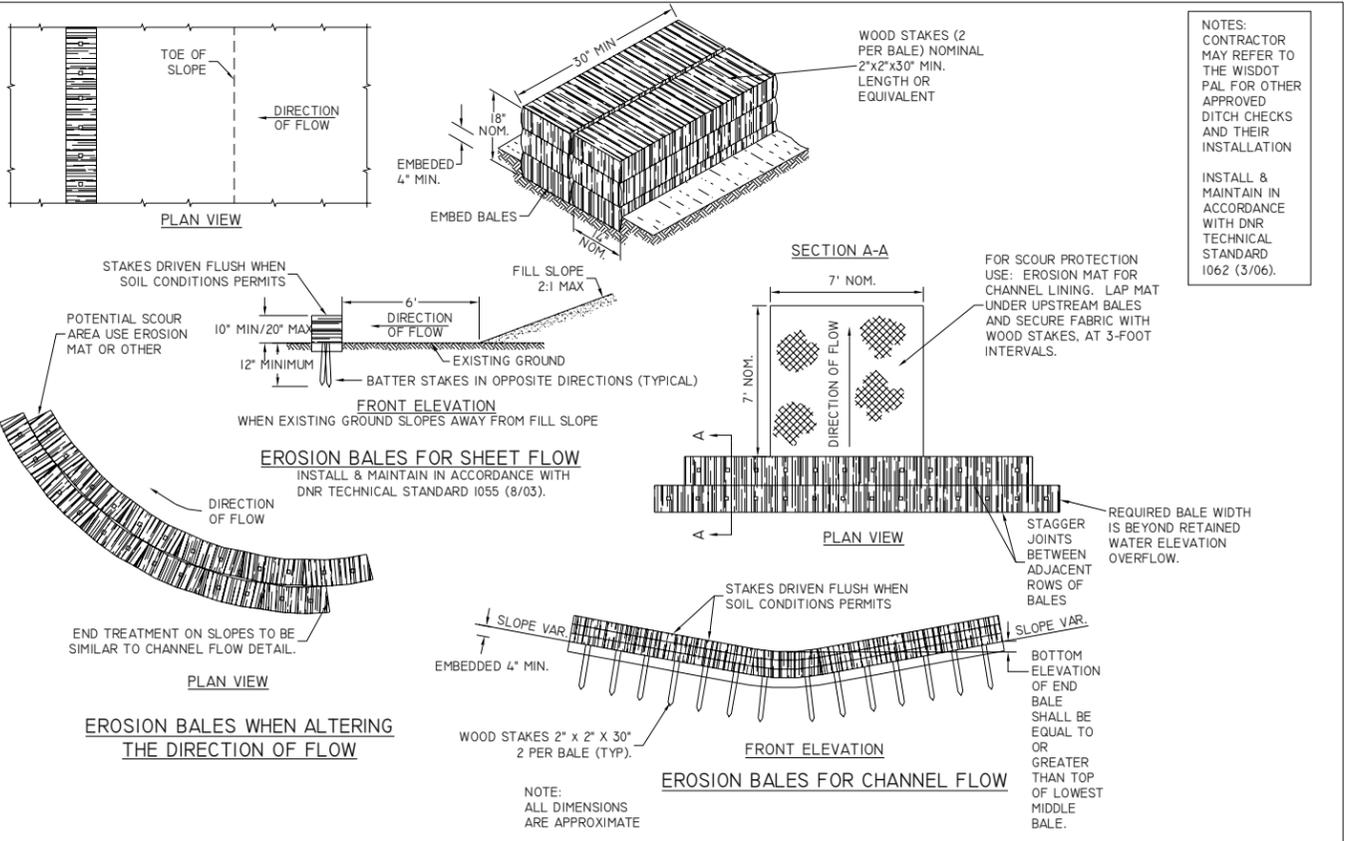
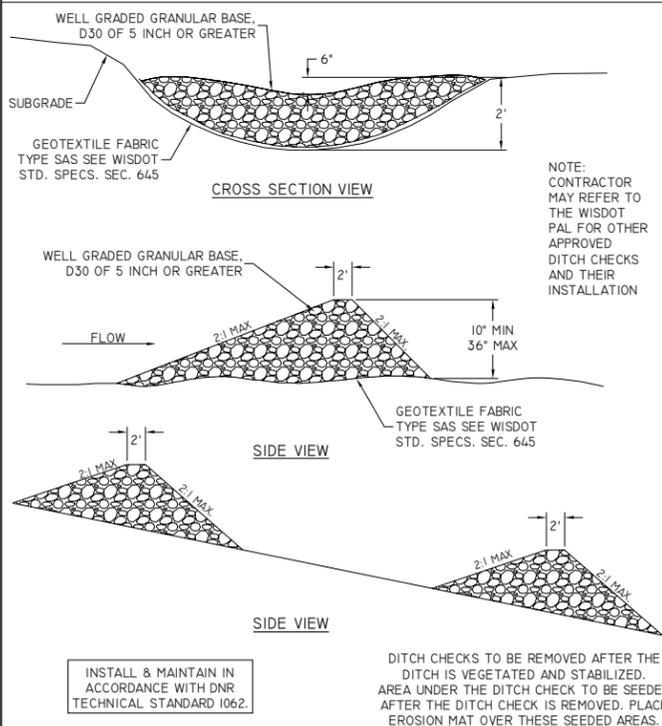
**GENERAL NOTES:**

- TRENCH SHALL BE A MINIMUM OF 4" WIDE & 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL 7", COMPACT TRENCH WITH EXCAVATED SOIL.
- WOOD POSTS SHALL BE A MINIMUM SIZE OF 1 1/8" X 1 1/8" OF OAK OR HICKORY.
- CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS: A) TWIST METHOD -- OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180 DEGREES. B) HOOK METHOD -- HOOK THE END OF EACH SILT FENCE LENGTH.

NOTE:  
ADDITIONAL POST DEPTH OR TIE BACKS MAY BE REQUIRED IN UNSTABLE SOILS

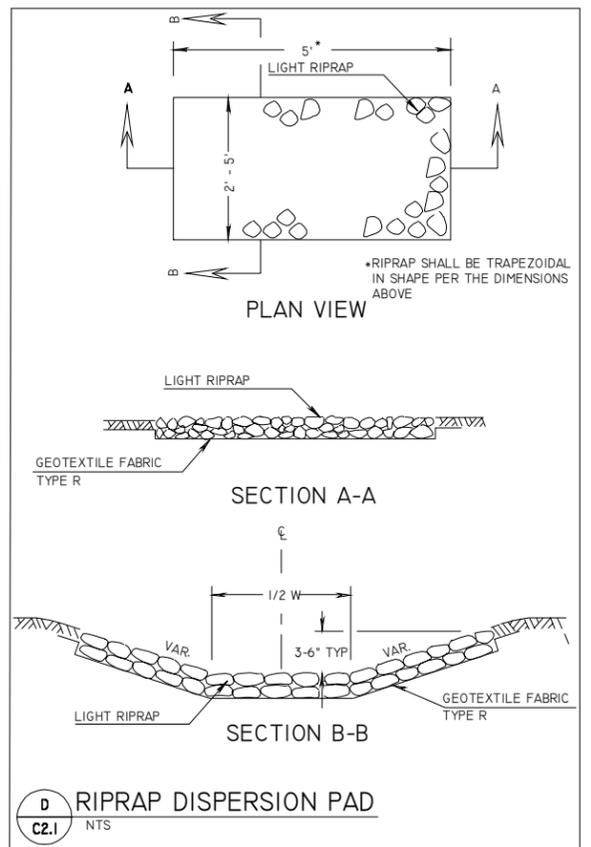


INSTALL & MAINTAIN IN ACCORDANCE WITH DNR TECHNICAL STANDARD 1056.



NOTES:  
CONTRACTOR MAY REFER TO THE WISDOT PAL FOR OTHER APPROVED DITCH CHECKS AND THEIR INSTALLATION

INSTALL & MAINTAIN IN ACCORDANCE WITH DNR TECHNICAL STANDARD 1062 (3/06).



DRAWING FILE: P:\3900-3999\3991A - BRIGS - WESTON\DWG\PLANS\3991A-C2.1.DWG LAYOUT: C2.1 PLOTTED: MAR 17, 2016 - 8:31AM PLOTTED BY: TONE

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WAUSAU, WISCONSIN 54401  
PHONE: 715.675.9784 FAX: 715.675.4060  
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NO SCALE

DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**EROSION CONTROL DETAILS**  
BRIG'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

**REI**  
REI No. 3991A  
SHEET C2.1

GENERAL NOTES/SPECIFICATIONS

1. SITE USAGE WILL BE PERMITTED ONLY WITHIN REASONABLE LIMITS TO FACILITATE CONSTRUCTION OF PROPOSED IMPROVEMENTS AND THE CONTRACTOR SHALL NOT UNREASONABLY ENCUMBER THE PREMISES WITH HIS/HER EQUIPMENT AND MATERIALS. MATERIAL STORAGE SHALL BE CONFINED TO SUCH LIMITS AS MAY BE JOINTLY AGREED UPON BY OWNER AND CONTRACTOR.
2. ALL SUB-CONTRACTORS SHALL BE UNDER THE DIRECTION OF THE GENERAL CONTRACTOR (OR OWNER'S REPRESENTATIVE) WHO WILL BE HELD RESPONSIBLE FOR THE COORDINATION OF ALL WORK ON THIS PROJECT AND THE PROPER EXECUTION OF THE SAME.
3. THE CONTRACTOR SHALL FURTHER ENFORCE THE OWNER'S INSTRUCTIONS OF SUCH NATURE, INCLUDING PARKING, USE OF ROADS, SAFE ACCESS TO FACILITIES, FIRE PREVENTION, AND PROJECT PHASING, WHICH THE OWNER MAY DEEM NECESSARY OR DESIRABLE ON THE OWNER'S PROPERTY.
4. CONTRACTOR SHALL KEEP A CLEAN SITE DURING CONSTRUCTION AND THROUGH FINAL ACCEPTANCE. THE STORE WILL NEED TO REMAIN OPEN AND ACCESSIBLE THROUGHOUT CONSTRUCTION.
5. ALWAYS FOLLOW WRITTEN DIMENSIONS. DO NOT SCALE. IF DISCREPANCY EXISTS, CONTACT THE ENGINEER.
6. REMOVE ALL TREES WITHIN THE GRADING LIMITS, INCLUDING ROOT STRUCTURES, EXCEPT THOSE SPECIFICALLY NOTED TO REMAIN AND THOSE ON PROPERTY LINES. DO NOT CLEAR SITE PRIOR TO COORDINATING WITH THE OWNER TO LOCATE ALL TREES TO REMAIN.
7. PROTECT TREES, UTILITY POLES, ABOVE AND BELOW GRADE UTILITIES, AND OTHER FEATURES THAT ARE TO REMAIN. THE REPAIR OF ANY DAMAGE TO FEATURES TO REMAIN IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR WITH NO PAYMENT DUE FOR SUCH REPAIRS.
8. PROTECT ABOVE AND BELOW GRADE UTILITIES THAT ARE TO REMAIN.
9. ADJUST ANY UTILITY ELEMENT MEANT TO BE FLUSH WITH GRADE (CLEAN OUT MANHOLES, CATCH BASINS, INLETS, WATER VALVES, ETC.) THAT IS AFFECTED BY SITE WORK OR GRADE CHANGES, WHETHER SPECIFICALLY NOTED ON PLANS OR NOT. REFER TO THE SITE GRADING PLAN SHEET.
10. PROTECT BENCHMARKS, REFERENCE SURVEY POINTS AND OTHER PROVIDED CONSTRUCTION STAKES.
11. CALL DIGGER'S HOTLINE @ 811 OR 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.
12. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
13. CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND COORDINATING ALL PROPOSED UTILITY RUNS, INSTALLATIONS, AND RELOCATIONS.
14. NOTIFY ELECTRIC UTILITY AT LEAST ONE WEEK PRIOR TO WORKING IN AREAS WHERE UTILITY POLES EXIST. UTILITY COMPANY WILL PROTECT POLES AS NECESSARY.
15. EROSION CONTROL DEVICES SHALL ABIDE BY THE WDNR CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL STANDARDS. [HTTP://DNR.WI.GOV/TOPI/STORMWATER/STANDARDS/CONST-STANDARDS.HTML](http://DNR.WI.GOV/TOPI/STORMWATER/STANDARDS/CONST-STANDARDS.HTML)
16. CONFIRM THAT ALL TOPSOIL HAS BEEN STRIPPED FROM AREAS TO RECEIVE EMBANKMENT BEFORE PLACING EMBANKMENT MATERIAL.
17. EMBANKMENT MATERIAL SHALL BE EXCAVATED SITE MATERIAL AND/OR IMPORTED MATERIAL DEEMED SUITABLE BY THE OWNER AND/OR HIS/HER REPRESENTATIVE, AND CONFORM TO THE REQUIREMENTS OF SUB-SECTION 207.2 OF THE WISDOT STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL MODIFY WATER CONTENT OF THE MATERIAL AS NECESSARY TO OBTAIN SPECIFIED COMPACTION FOR ALL EMBANKMENT MATERIAL.
18. CONSTRUCT ALL EMBANKMENT THAT WILL SUPPORT ROADWAYS OR ASPHALT PARKING IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF SUB-SECTION 207.3.6.3 (SPECIAL COMPACTION) OF THE WISDOT STANDARD SPECIFICATIONS EXCEPT: THE MAXIMUM DENSITY SHALL BE DETERMINED IN ACCORDANCE WITH ASTM D1557, WITH METHOD B OR C; AND MAXIMUM LIFT THICKNESS SHALL BE 8 INCHES FOR ALL SOILS, GRANULAR, OR COHESIVE.
19. BORROW MATERIAL SHALL BE IMPORTED MATERIAL MEETING THE ABOVE REQUIREMENTS FOR EMBANKMENT. THE CONTRACTOR SHALL IDENTIFY ITS BORROW SOURCES TO THE OWNER'S CONSTRUCTION REPRESENTATIVE AT LEAST TWO WEEKS IN ADVANCE OF HAULING MATERIAL TO THE PROJECT SITE SO THE OWNER'S CONSTRUCTION REPRESENTATIVE CAN OBTAIN SAMPLES AND PERFORM THE DESIRED TESTING.
20. STRUCTURAL FILL IS REQUIRED IN ALL AREAS THAT WILL SUPPORT PRESENT OR FUTURE BUILDING STRUCTURES, AND WITHIN AREAS EXTENDING DOWNWARD AND OUTWARD FROM THE BUILDING LIMITS AT FINISHED GRADE ON A 1-TO-1 (HORIZONTAL TO VERTICAL) SLOPE TO THE BOTTOM OF THE FILL. CONFIRM THAT ALL UNSUITABLE MATERIAL HAS BEEN REMOVED FROM AREAS TO RECEIVE STRUCTURAL FILL BEFORE PLACING MATERIAL. SUB GRADES MAY NOT RECEIVE STRUCTURAL FILL IF FROZEN, AND FROZEN STRUCTURAL FILL IS NOT ACCEPTABLE FOR USE. PROVIDE ADEQUATE ADVANCED NOTIFICATION, ACCESS, EQUIPMENT, AND OPERATOR TO PERMIT TESTING AGENCY TO OBSERVE COMPACTING OF SUB GRADE PRIOR TO PLACEMENT OF STRUCTURAL FILL MATERIAL. PROVIDE ADEQUATE ADVANCE NOTIFICATION, ACCESS AND COOPERATION TO TESTING AGENCY TO PERFORM DENSITY TESTING ON EACH LIFT OF FILL PLACED, PRIOR TO PLACING FILL ABOVE THE LIFT. THE TESTING FREQUENCY WILL BE DETERMINED BY THE OWNER OR HIS/HER DESIGNATED REPRESENTATIVE. CONSTRUCT ALL STRUCTURAL FILL IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF SUB-SECTION 207.3.6.3 (SPECIAL COMPACTION) OF THE WISDOT STANDARD SPECIFICATIONS EXCEPT: THE MAXIMUM DENSITY SHALL BE DETERMINED IN ACCORDANCE WITH ASTM D1557, WITH METHOD B OR C; ALL LIFTS SHALL BE COMPACTED TO AT LEAST 95 PERCENT OF THE MAXIMUM DRY DENSITY DETERMINED IN ACCORDANCE WITH ASTM D1557; MAXIMUM LIFT THICKNESS SHALL BE 8 INCHES FOR ALL SOILS, GRANULAR, OR COHESIVE; THE LIMIT OF STRUCTURAL FILL FOR PURPOSES OF COMPACTION REQUIREMENTS IS DEFINED AS THE AREA ENCOMPASSED BY PLANS EXTENDING DOWNWARD AND OUTWARD FROM THE EDGES OF THE STRUCTURE OR CONCRETE SLAB AT 45-DEGREE ANGLES RELATIVE TO HORIZONTAL (I.E. 1:1 SLOPES).
21. THE CONTRACTOR SHALL PREPARE THE SITE TO SUPPORT THE PROPOSED SURFACE PER SEC. 211 OF THE WISDOT STANDARD SPECS.
22. RIPRAP AND FABRIC SHALL CONFORM TO THE REQUIREMENTS OF SECTION 606 OF THE WISDOT STANDARD SPECS, WITH THE GRADE BEING SPECIFIED ON THE PLANS.
23. DENSE GRADED BASE SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF SECTION 305 OF THE WISDOT STANDARD SPECIFICATIONS FOR DENSE GRADED BASE, CONSISTENT WITH THE DESIGNATIONS SPECIFIED ON THE PLANS.
24. HOT MIX ASPHALT PAVEMENT SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF SECTION 460 OF THE WISDOT STANDARD SPECIFICATIONS FOR PAVEMENT, CONSISTENT WITH THE DESIGNATIONS SPECIFIED ON THE PLANS.
25. CONCRETE PAVEMENT AND CURBING SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF SECTION 501 OF THE WISDOT STANDARD SPECS, TYPE A OR A-FA.
26. PAVEMENT MARKING PAINT SHALL BE PRE-MIXED WATERBORNE EMULSION APPLIED TO A CLEAN SURFACE AT MANUFACTURER'S RATES TO PROVIDE A MINIMUM WET FILM THICKNESS OF 15 MILLIMETERS. CONFIRM COLOR WITH OWNER PRIOR TO APPLICATION.
27. AFTER FINAL STABILIZATION, ACCUMULATED SEDIMENT SHALL BE REMOVED AND DISPOSED OF LEGALLY OFFSITE.
28. AT A MINIMUM RESTORE SITE BY SEEDING & MULCHING ALL DISTURBED AREAS TO BE VEGETATED AND ENSURE ESTABLISHMENT OF ADEQUATE VEGETATION. SEED IS TO BE OF A SINGLE URBAN LAWN MIX TYPE INTENDED FOR THE EXISTING SITE SOILS AND CONFORMING WITH SECTION 630 OF THE WISDOT STANDARD SPECIFICATION.
29. SITE AND IMPORTED TOPSOIL MATERIAL SHALL CONFORM TO THE REQUIREMENTS OF SECTION 625 OF THE WISDOT STANDARD SPECIFICATIONS, GRADED FREE OF STONES AND LUMPS LARGER THAN 1 INCH AND FREE OF ROOTS, VEGETATION, AND OTHER UN-DECOMPOSED ORGANIC MATERIAL.
30. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND LEGALLY DISPOSING OF ALL EXCESS AND UNUSED MATERIALS FROM THE SITE FOLLOWING COMPLETION OF THEIR WORK.

DRAWING FILE: P:\3900-3999\3991A - BRIOS - WESTON\DWG\Plans\3991A-SPECS.dwg LAYOUT: SPECS PLOTTED: MAR 17, 2016 - 8:31AM PLOTTED BY: TONE

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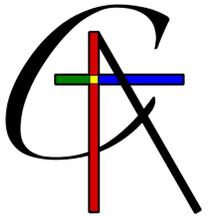
NO SCALE

DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY:	DATE: 02/19/16

**SITE SPECIFICATIONS**  
 BRIQ'S WESTON  
 3907 SCHOFIELD AVENUE  
 WESTON, WI 54476

**REI**  
 REI No. 3991A  
 SHEET SP



**COX &  
ASSOCIATES**

Architects and Planners

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WAUSAU  
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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the state of:

WISCONSIN

SIGNATURE  
ARCHITECT: RBC  
REGISTRATION NUMBER:  
DATE: 3/31/2016  
DRAWN BY: RBC  
CHECKED BY: RBC

PROJECT TITLE  
**Briq's Soft Serve  
Addition & Remodeling**

VILLAGE OF WESTON  
WISCONSIN

Project Number **21602**

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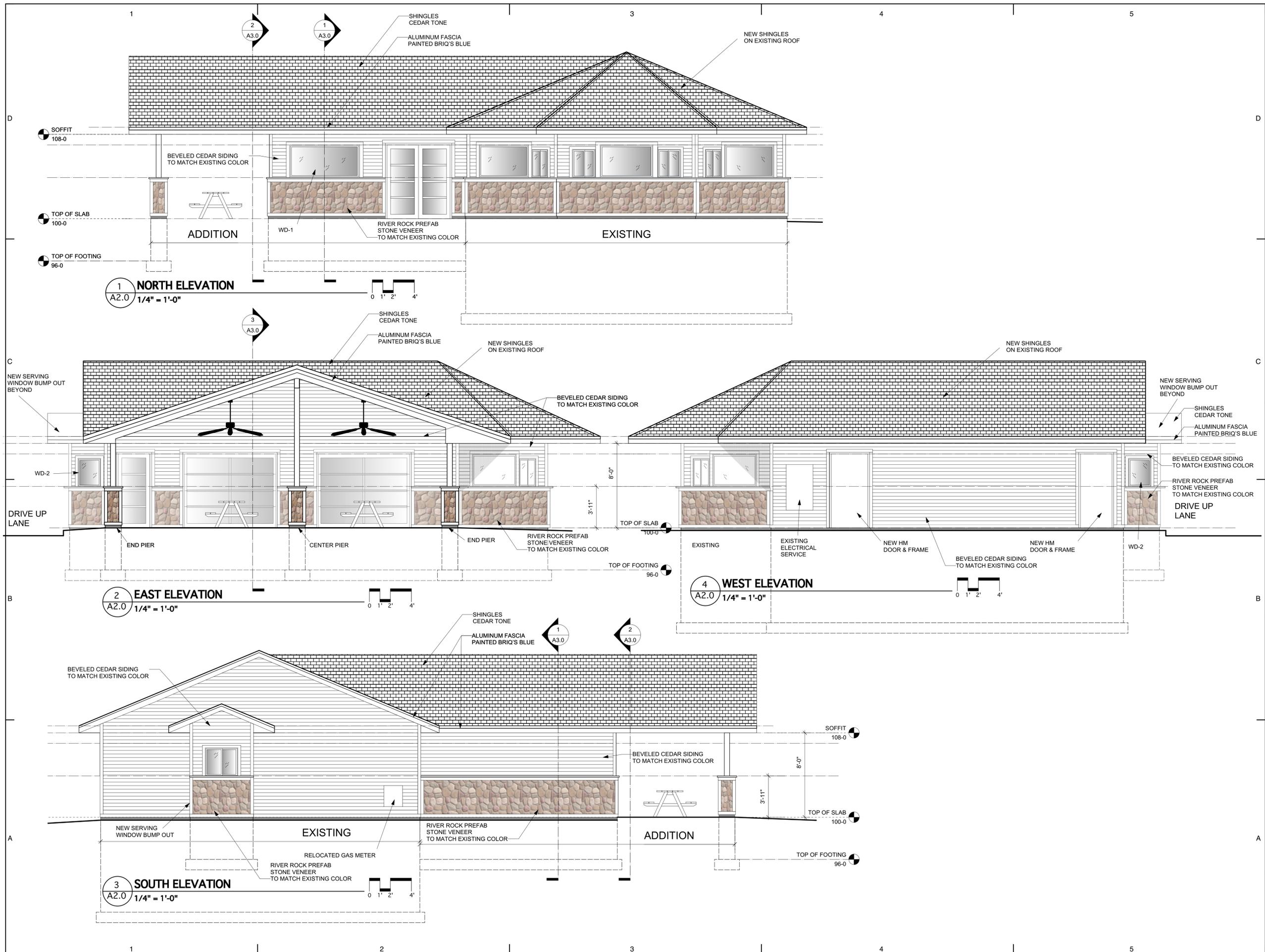
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Revision	Date	Description

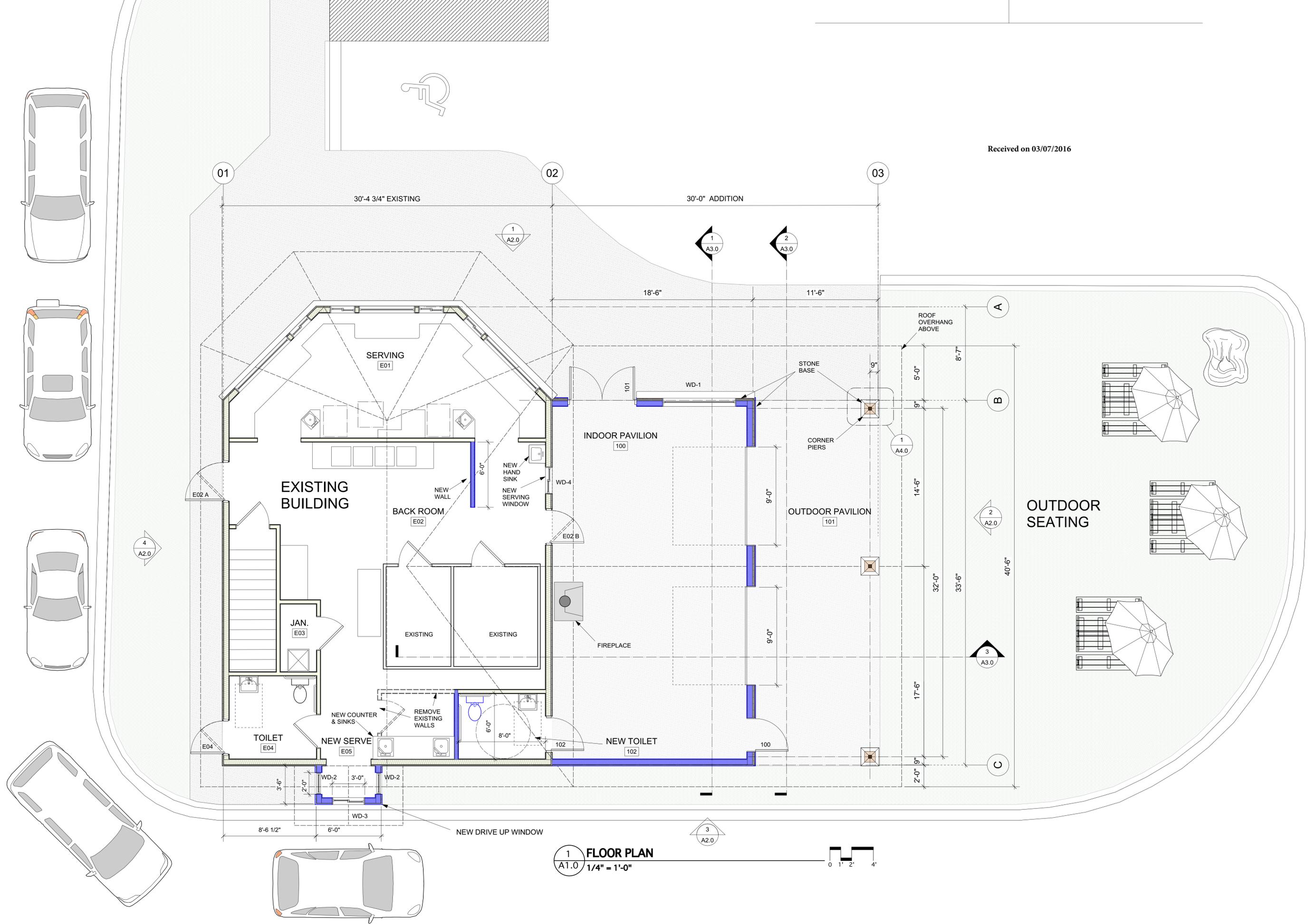
Phase **CONSTRUCTION DOCUMENTS**

Sheet Title **Elevations**

Drawing No. **A2.0**

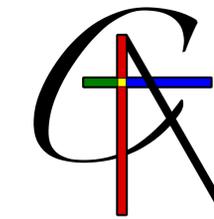


Received on 03/07/2016



1 FLOOR PLAN  
1/4" = 1'-0"





**COX & ASSOCIATES**  
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 FAX (715) 298-0153

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WISCONSIN

SIGNATURE  
 ARCHITECT: RBC  
 REGISTRATION NUMBER:  
 DATE: 3/31/2016  
 DRAWN BY: RBC  
 CHECKED BY: RBC

PROJECT TITLE  
**Briq's Soft Serve Addition & Remodeling**

VILLAGE OF WESTON  
 WISCONSIN

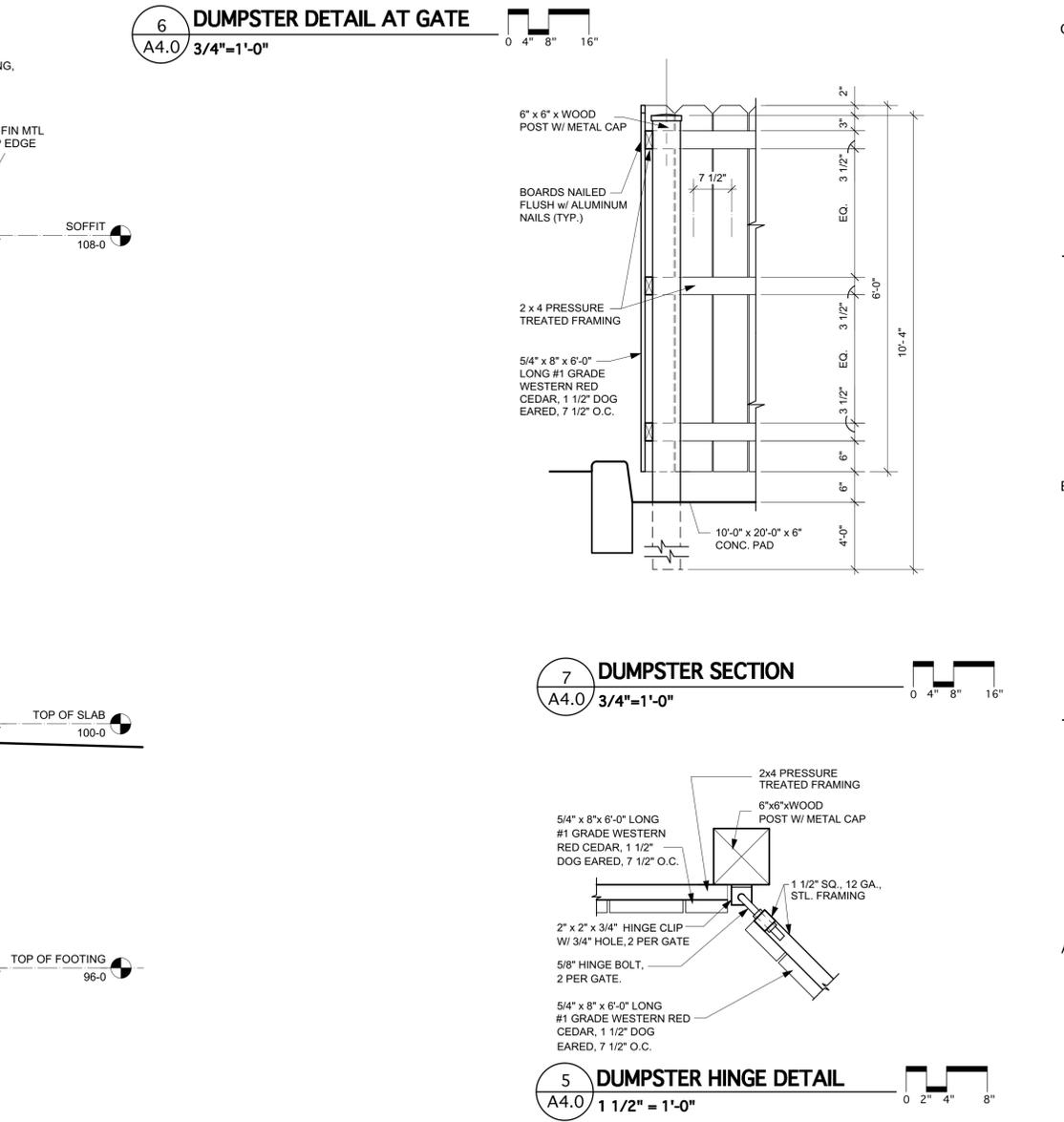
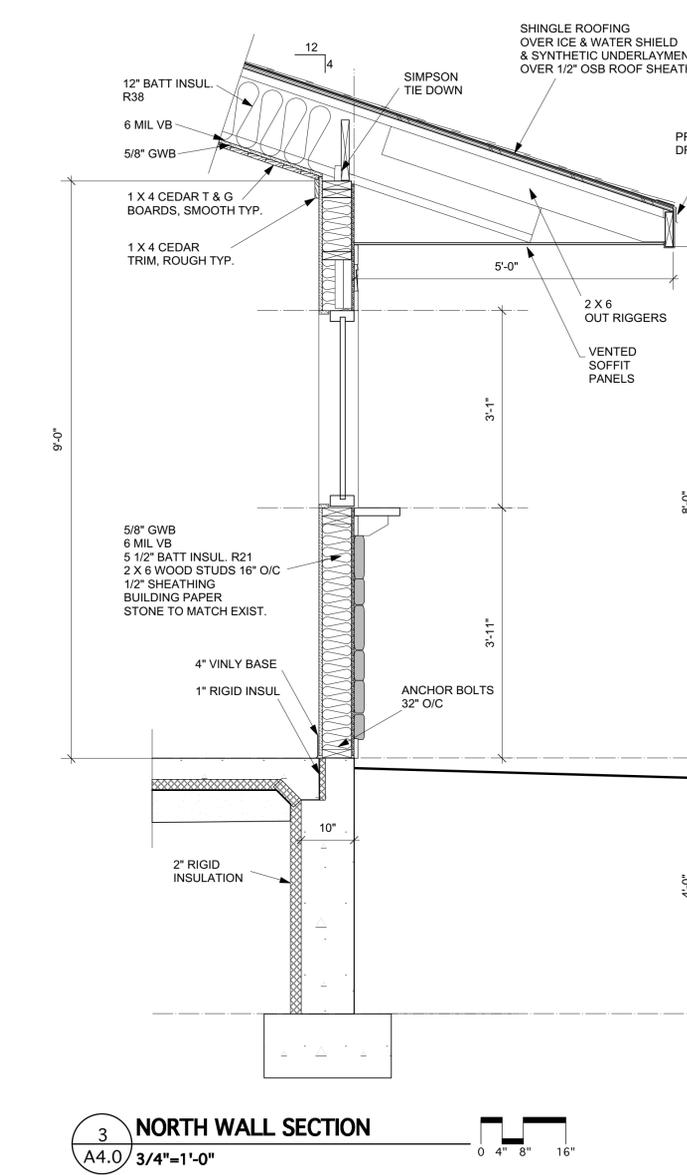
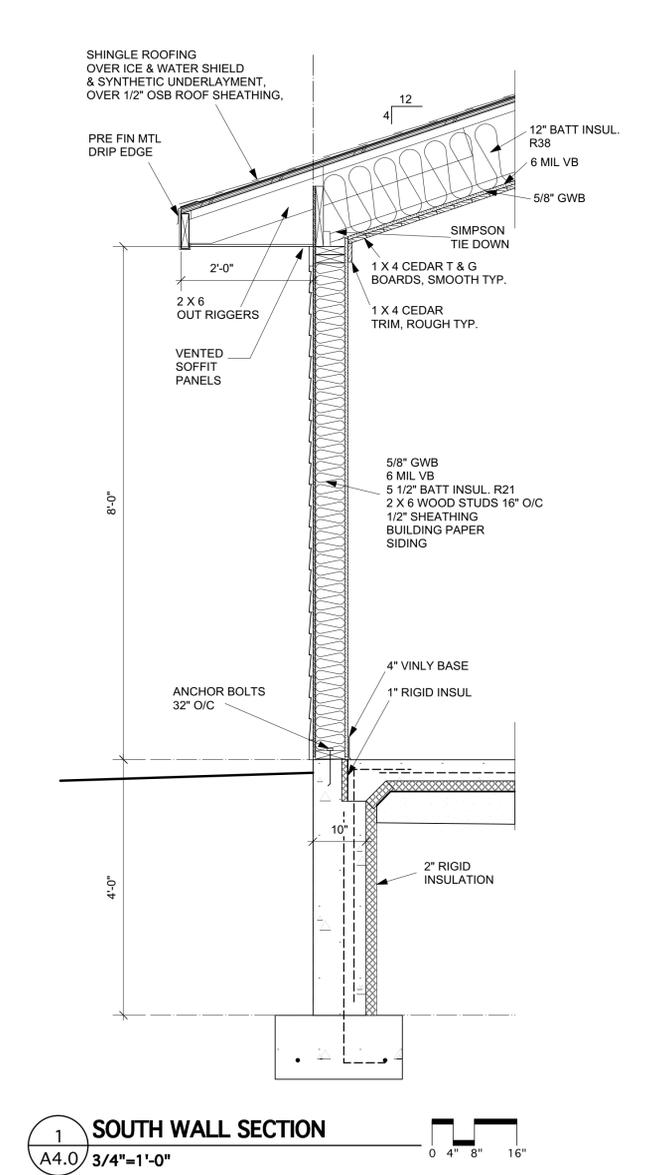
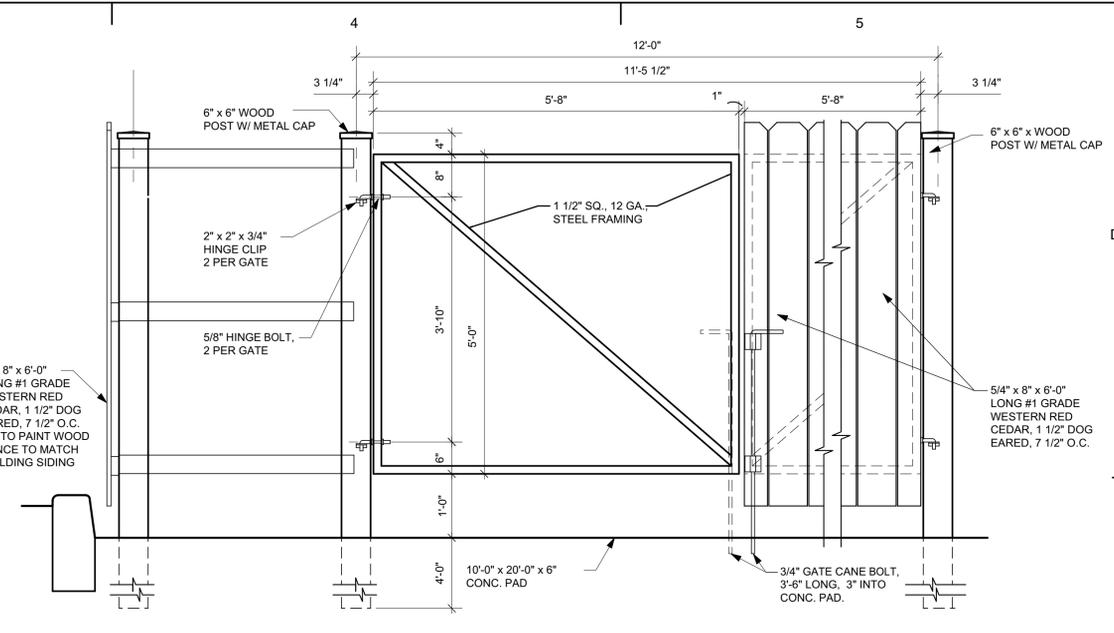
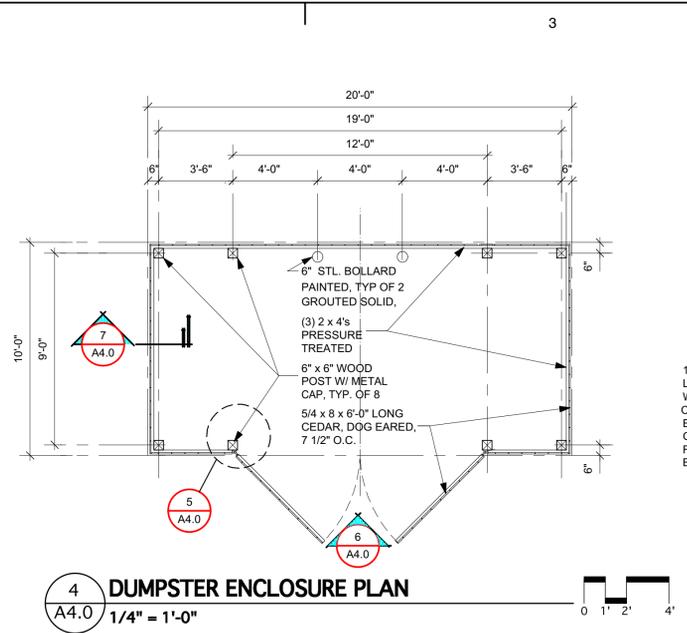
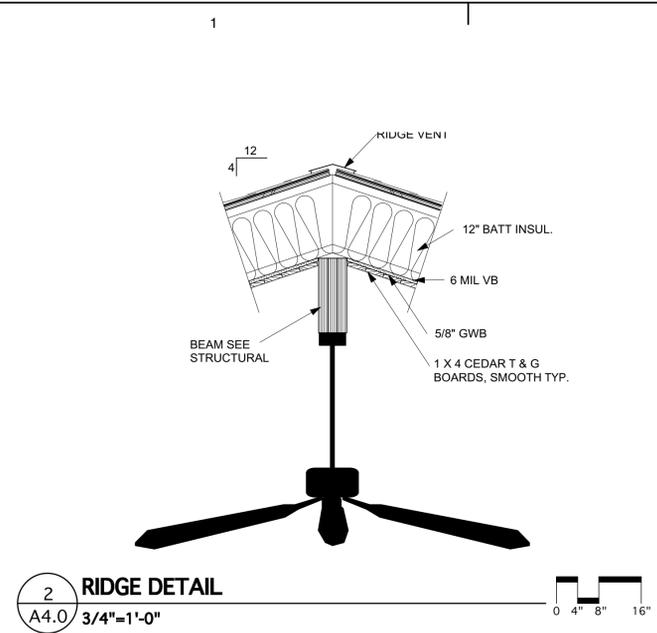
Project Number **21602**

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Revision	Date	Description

Phase **CONSTRUCTION DOCUMENTS**  
 Sheet Title **Wall Sections**  
 Drawing No.

**A4.0**



\*\*\* Layout does not meet IESNA standard light levels for minimum security of 0.5fc minimum. \*\*\*

Luminaire Schedule					
Symbol	Qty	Label	Arrangement	Lumens/Lamp	Description
■	5	E-HL9S30NSZ	SINGLE	N.A.	E-HL9S30NSZ

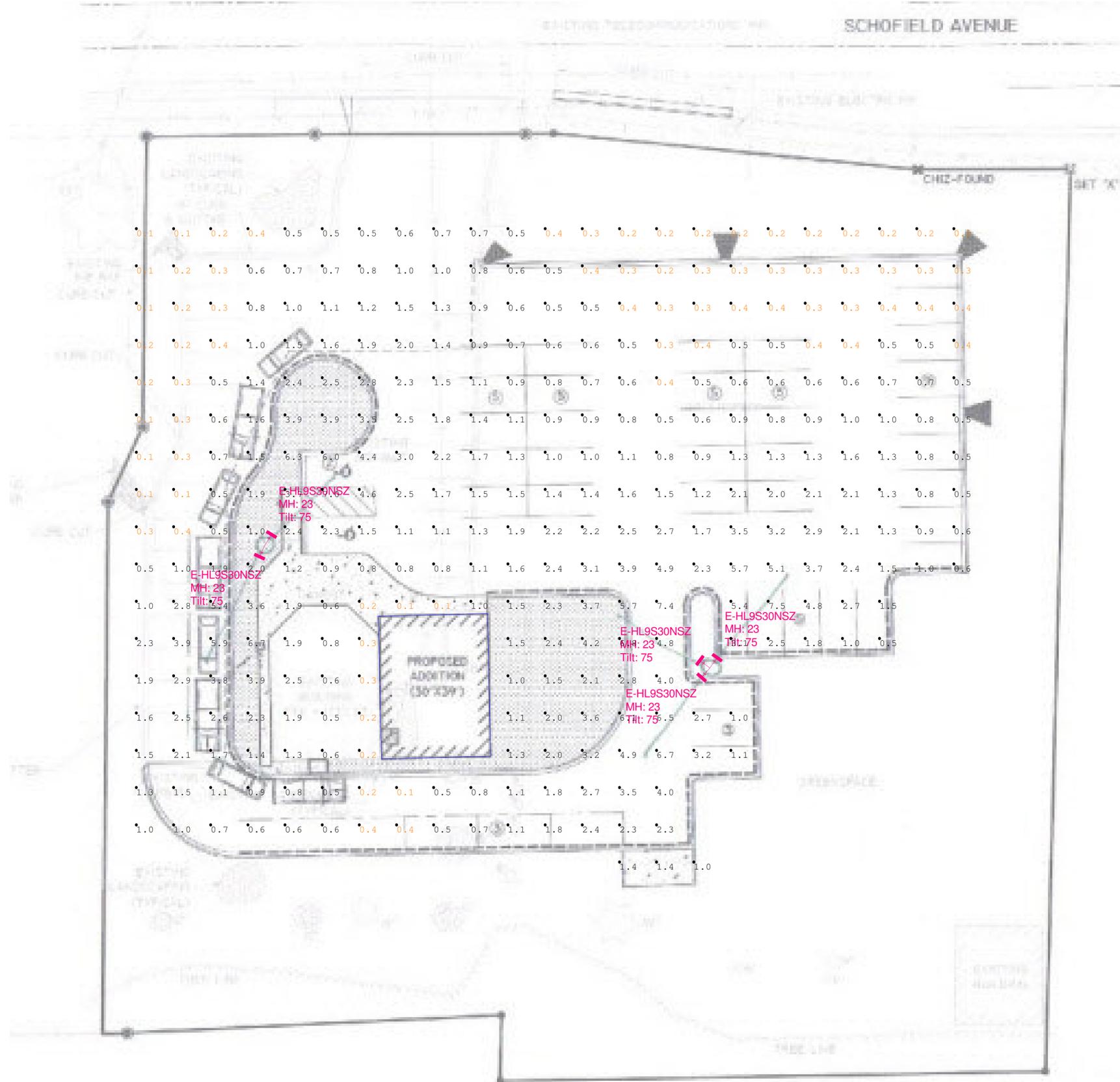
Calculation Summary					
Label	Avg	Max	Min	Avg/Min	Max/Min
CalcPts	1.53	7.5	0.1	15.30	75.00

Fixture Mounting Height: 23'  
 Pole Mounted:  
 (2) E-PS4E20CTDB (20' x 4" X .120" SQUARE STEEL POLE)

Proposed Poles Meets 90 MPH Sustained Winds.

Additional Required Equipment:  
 (1) E-PT2E180DB (Twin Tenon)  
 (1) E-PT3E180DB (Triple Tenon at 180deg)

\*\*\*Customer to verify Color, Mounting, Fixture Location and Voltage prior to ordering.\*\*\*

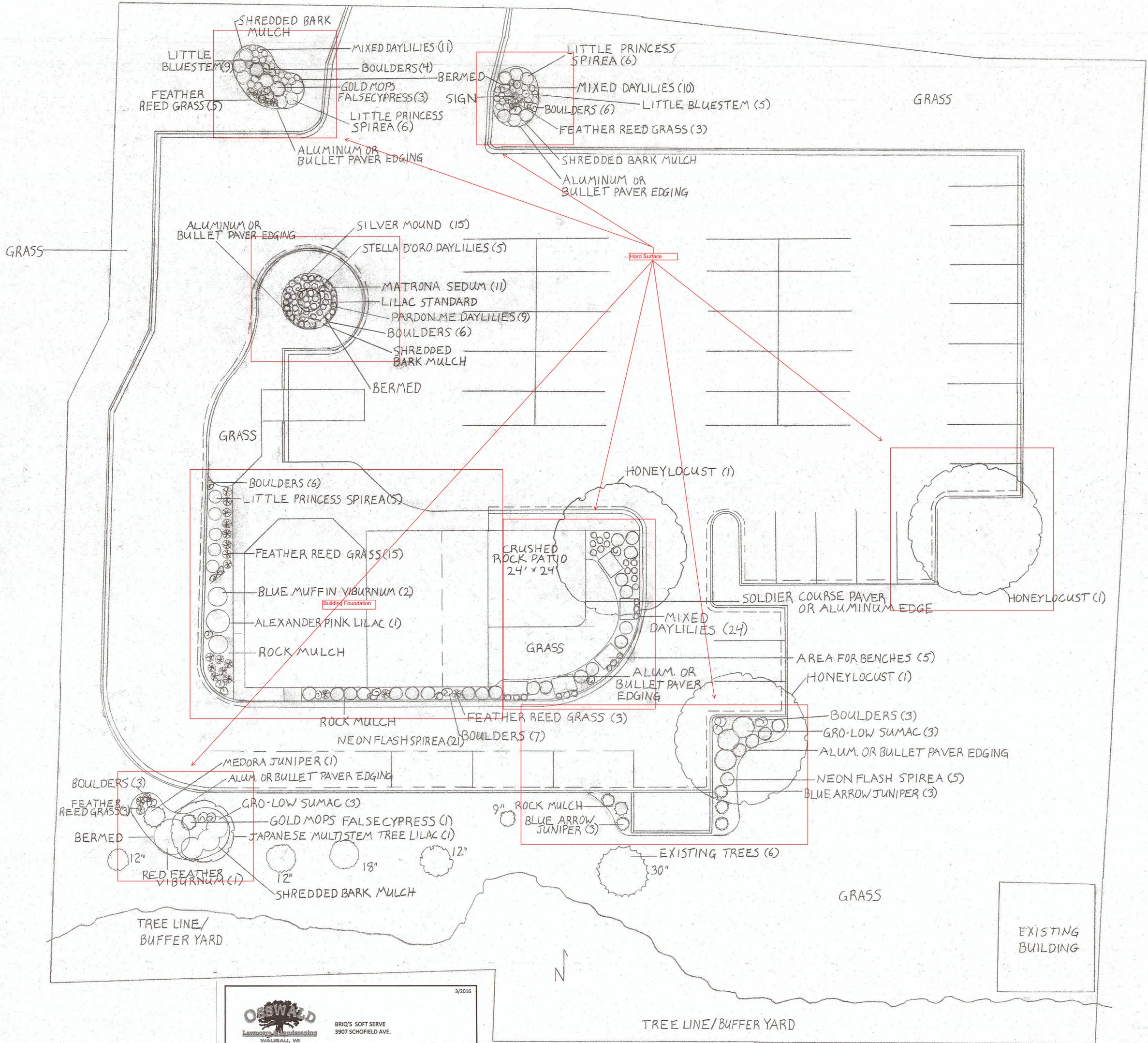


1501 96th Street  
 Sturtevant, Wisconsin 53177  
 PH: (888) 243-9445  
 FX: (262) 504-5409  
 www.e-conolight.com

Customer responsible to verify ordering information/  
 catalogue number prior to placing order.

Date: 3/31/2016	Scale: 1"=16'	Layout by: Chris Schiltz
Project Name: 93266 - Weston	Salesforce: 13504	
Filename: 160329DC1CISR2.AGI		
Footcandles calculated at grade using mean lumen values at initial		

Illumination results shown on this lighting design are based on project parameters provided to E-conolight used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting, or energy code.



TREE LINE/BUFFER YARD

EXISTING BUILDING

**OSSWALD LANDSCAPING, BRIQ'S PROJECT, WESTON**

**HARD SURFACE PLANTS**

	<b># PLANTS</b>	<b>POINTS</b>	<b>TOTAL POINTS</b>
EXISTING EVERGREEN	1	50	50
EXISTING DECIDUOUS	5	125	625
HONEYLOCUST	2	125	250
NEON FLASH SPIREA	5	10	50
BLUE ARROW JUNIPER	6	50	300
JAPANESE MULTI-STEM TREE	1	60	60
FEATHER REED GRASS	11	6.25	68.75
RED FEATHER VIBURNUM	1	20	20
MEDORA JUNIPER	1	50	50
GRO-LOW SUMAC	6	10	60
GOLD MOPS FALSECYPRESS	4	20	80
LITTLE BLUESTEM	14	4	56
MIXED DAYLILIES	22	2.25	49.5
LITTLE PRINCESS SPIREA	12	10	120
SILVER MOUND ARTEMISIA	15	2.25	33.75
STELLA DAYLILIES	5	2.25	11.25
MATRONA SEDUM	11	2.25	24.75
LILAC STANDARD	1	60	60
PARDON ME	9	2.25	20.25
			1989.25

**BUILDING FOUNDATION PLANTS**

LITTLE PRINCESS SPIREA	5	10	50
FEATHER REED GRASS	18	6.25	112.5
BLUE MUFFIN VIBURNUM	2	20	40
ALEXANDER PINK LILAC	1	20	20
NEON FLASH SPIREA	21	10	210
MIXED DAYLILIES	24	2.25	54
HONEYLOCUST	1	125	125
			611.5

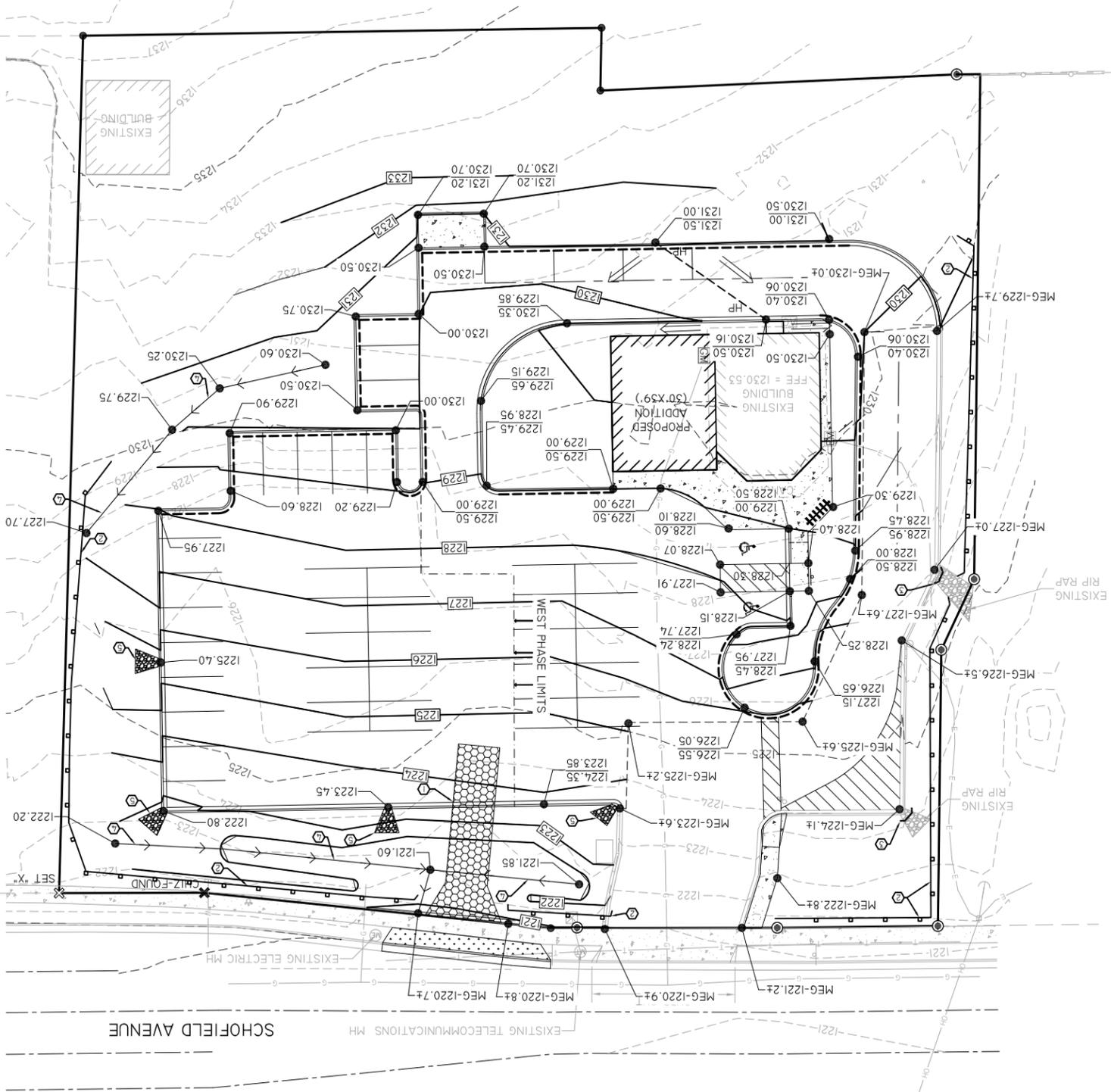
**TOTAL POINTS ENTIRE PROJECT**

**2600.75**



DATE	REVISION	BY	CHK'D	DESIGNED BY:	CHECKED BY:	APPROVED BY:	DRAWN BY: NAP	DATE: 02/19/16

**GRADING & EROSION CONTROL PLAN**



EXISTING STM INL.  
 RIM ELEV.=1219.64  
 12IN RCP(N)=1216.8

- NOTES:**
- (A) CONTRACTOR IS RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
  - (B) CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND COORDINATING ALL PROPOSED UTILITY RUNS, INSTALLATIONS AND RELOCATIONS.
  - (C) CALL DIGGERS HOTLINE @ 811 OR 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.
  - (D) INSTALL EROSION MAT ON ALL REVEGETATED SLOPES 4:1 OR GREATER AND WITHIN DIVERSION SWALE BOTTOM (IF APPLICABLE).
  - (E) CONTRACTOR SHALL ABIDE BY THE WDMR CONSERVATION PRACTICE STANDARDS FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROL.
  - (F) GRADING CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE BETWEEN PROPOSED IMPROVEMENTS AND EXISTING CONTOURS.
  - (G) IN AREAS WHERE THE PARKING LOT DRAINS ONTO ADJACENT GRASS AREAS, MAINTAIN ASPHALT 1" ABOVE GRASS.
  - (H) SPOT ELEVATIONS SHOWN ALONG CURBLINE DENOTE FLOWLINE UNLESS SPECIFIED, REFER TO LAYOUT PLAN FOR CURB TYPES.

- SUGGESTED SEQUENCING:**
1. TEMPORARY CONSTRUCTION ENTRANCE/EXIT. SEE DETAIL A/C2.1.
  2. INSTALL SILT FENCE. SEE DETAIL B/C2.1.
  3. INSTALL DITCH CHECKS. SEE DETAIL C/C2.1.
  4. INSTALL DIVERSION SWALE. SEE DETAIL D/C2.1.
  5. RIPRAP DISPERSION PADS. SEE DETAIL E/C2.1.
- COMPLETE WEST SIDE TO ENSURE STORE REMAINS OPEN
  - STRIP TOPSOIL AND GRADE WEST SIDE
  - BUILDING CONSTRUCTION
  - STRIP TOPSOIL AND GRADE EAST SIDE
  - COMPLETE EAST SIDE IMPROVEMENTS
  - FINAL STABILIZATION AND LANDSCAPING

KEYED NOTES



KEYED NOTES

1. TEMPORARY CONSTRUCTION ENTRANCE/EXIT. SEE DETAIL A/C2.1.
2. INSTALL SILT FENCE. SEE DETAIL B/C2.1.
3. INSTALL DITCH CHECKS. SEE DETAIL C/C2.1.
4. INSTALL DIVERSION SWALE @ 1% MINIMUM.
5. RIPRAP DISPERSION PADS. SEE DETAIL D/C2.1.

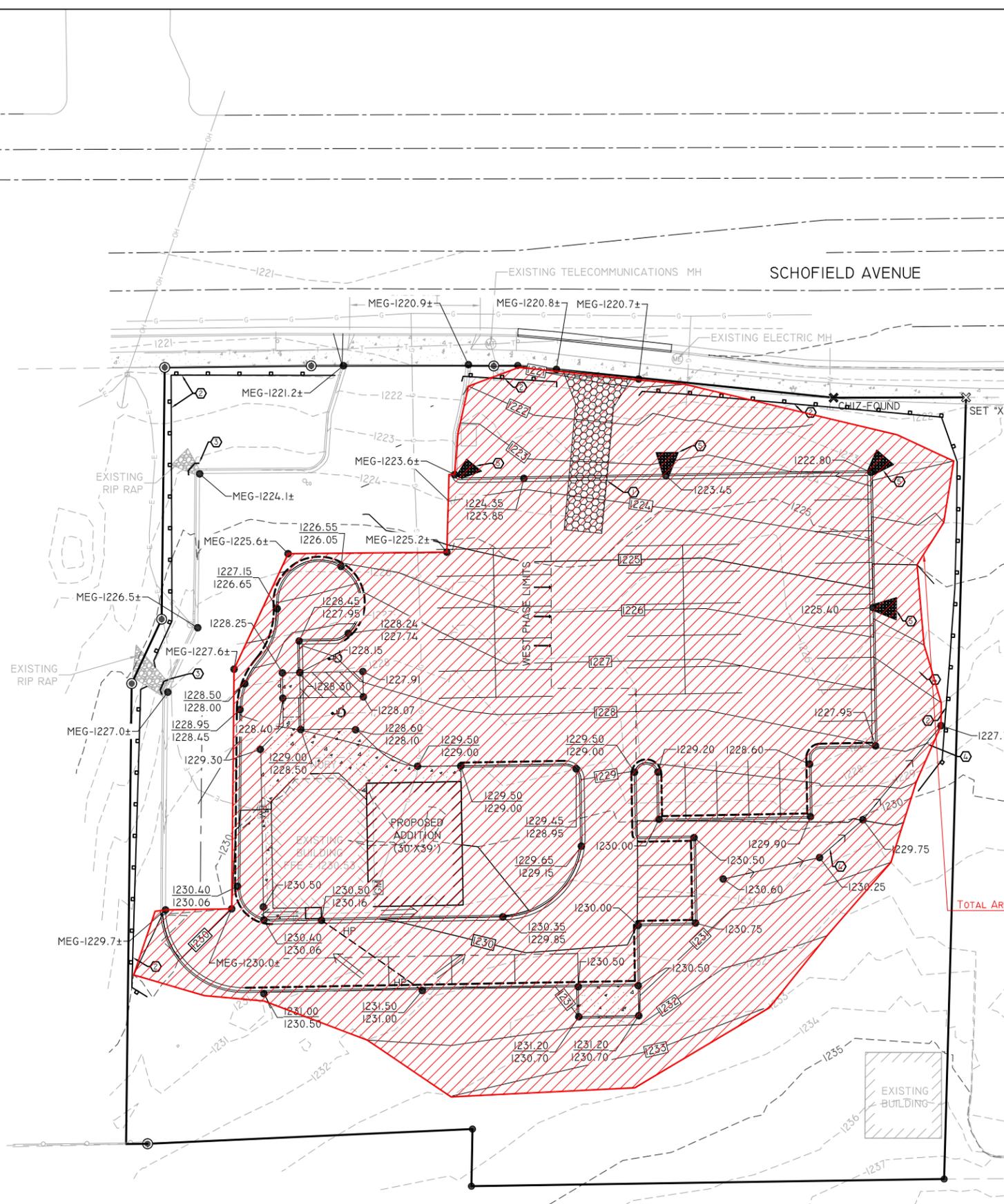
SUGGESTED SEQUENCING:

- PROVIDE CONSTRUCTION ACCESS
- INSTALL SILT FENCE AND DITCH CHECKS
- SITE REMOVALS
- STRIP TOPSOIL AND GRADE WEST SIDE
- COMPLETE WEST SIDE TO ENSURE STORE REMAINS OPEN
- BUILDING CONSTRUCTION
- STRIP TOPSOIL AND GRADE EAST SIDE
- COMPLETE EAST SIDE IMPROVEMENTS
- FINAL STABILIZATION AND LANDSCAPING

NOTES:

- (A) CONTRACTOR IS RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
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- (D) INSTALL EROSION MAT ON ALL REVEGETATED SLOPES 4:1 OR GREATER AND WITHIN DIVERSION SWALE BOTTOM (IF APPLICABLE).
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- (G) IN AREAS WHERE THE PARKING LOT DRAINS ONTO ADJACENT GRASS AREAS, MAINTAIN ASPHALT 1" ABOVE GRASS.
- (H) SPOT ELEVATIONS SHOWN ALONG CURBLINE DENOTE FLOWLINE UNLESS SPECIFIED. REFER TO LAYOUT PLAN FOR CURB TYPES.

TOTAL AREA OF DISTURBANCE = 40735.66 S.F. OR 0.935 ACRES



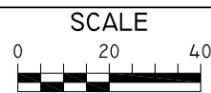
EXISTING MAINLINE  
RIM ELEVATION 1219.64  
12IN RCP (1216.8)

DRAWING FILE: P:\3900-3999\3991A - BRIQS - WESTON\DWG\EXHIBITS\3991A-DISTURBED AREA EXHIBIT.DWG LAYOUT: C2  
PLOTTED: MAR 17, 2016 - 8:50AM PLOTTED BY: TOM

**REI Engineering, INC.**  
4080 N. 20TH AVENUE  
WAUSAU, WISCONSIN 54401  
PHONE: 715.675.9784 FAX: 715.675.4060  
EMAIL: MAIL@REIENGINEERING.COM



**REI** CIVIL & ENVIRONMENTAL  
ENGINEERING, SURVEYING



DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY:
SURVEYED BY:	APPROVED BY:
DRAWN BY: NAP	DATE: 02/19/16

**GRADING & EROSION CONTROL PLAN**  
BRIQ'S WESTON  
3907 SCHOFIELD AVENUE  
WESTON, WI 54476

**REI**  
REI No. 3991A  
SHEET C2

# Commercial Site Plan

Application

Site Plan No. : \_\_\_\_\_

Village of Weston/ETZ

Payment: Cash      Check No. \_\_\_\_\_

Date: 3-4-16

**FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING**



5500 Schofield Ave  
Weston, WI 54476

## SITE PLAN PROJECTS AND FEES

<input type="checkbox"/> Accessory Structure Plan Review	\$ <u>100.00</u>
<input checked="" type="checkbox"/> Landscape Plan Review	\$ <u>100.00</u>
<input checked="" type="checkbox"/> Architectural Review	\$ <u>100.00</u>
<input checked="" type="checkbox"/> Parking Lot Plan or Drainage Review	\$ <u>300.00</u>
<input checked="" type="checkbox"/> Building Addition Plan Review (under 50% of the existing building)	\$ <u>300.00</u>
<input type="checkbox"/> New Construction-Staff Review	\$ <u>500.00</u>
<input type="checkbox"/> New Construction-Plan Commission Review	\$ <u>600.00</u>
<input type="checkbox"/> New Construction: Large Retail/Commercial Services Development-Plan Commission Review (with CUP Application Fee)	\$750.00+\$10.00/Acre over 10 Acres = \$ _____
<input type="checkbox"/> New Construction: Large Retail/Commercial Services Development (over 75,000 ft <sup>2</sup> )-Plan Commission Review (with CUP Application Fee)	\$900.00+\$10.00/Acre over 10 Acres = \$ _____

**\*Staff also reserves the right to forward site plan applications for Plan Commission review, which is an additional \$100.00 fee. All special exceptions from the Zoning Code require Plan Commission review and approval, which is an additional \$100.00 fee.**

## EXPLANATION OF THE SITE PLAN APPROVAL PROCESS

The Site Plan approval processes is a requirement throughout the Village of Weston and its Extraterritorial Zoning (ETZ) within the Town of Weston for all non-residential construction projects. **Prior to submitting this site plan application a zoning permit must be filed with and approved by staff.** The site plan process is designed so that all proposed projects are reviewed to ensure that the requirements listed therein are upheld to the standards in which they are written and interpreted by the Zoning Administrator, as granted by this Chapter.

Staff shall be the approval authority for all site plans, except for the following circumstances:

- 1) The applicant has indicated on this application form a desire for Plan Commission action instead of Zoning Administrator action (**\$600.00 Fee**);
- 2) The application is filed concurrently with a rezoning or conditional use permit application, or both of the same site (**\$100.00 Discount from all fees**);
- 3) The site plan is a large Retail/Commercial Service Development as described in 94.10.04 (**\$750.00+\$10.00/Acre over 10 Acres for developments between 25,000 and 75,000 ft<sup>2</sup> or \$900.00+\$10.00/Acre over 10 Acres for developments over 75,000 ft<sup>2</sup>**);
- 4) The site plan proposes public improvements other than driveway connections to public streets, sanitary sewer and/or water lateral connections to existing mains, or if the opinion of the Zoning Administrator requires such improvements;
- 5) The Zoning Administrator is unable to determine whether one or more of the standards for approval within subsection (6) will be met;
- 6) Review under subsection (5) reveals differences that cannot be resolved by the Zoning Administrator, following consultation with the Village Administrator;
- 7) A written agreement between the Village and Applicant requires Plan Commission of the site plan;
- 8) For projects in the ETZ area, the Town Board has adopted a resolution requiring Extraterritorial Zoning Committee to determine all site plan applications instead of the Zoning Administrator.

Staff also reserves the right to forward site plan applications for Plan Commission review, which is an additional \$100.00 fee. Fees for any other proposed site plans that are not listed above shall be determined by the Zoning Administrator based on the complexity of the proposal and how it compares to the site plan projects and fees listed above. Completed site plan with then be reviewed by staff.

## APPLICANT INFORMATION

**Applicant Name:** Kevin Briquelet Miller  Agent\*  Property Owner  
**Mailing Address:** 1810 Patriot Drive **Phone:** (715) 571-2749  
Wausau, WI 54403 **Email:** briqmill5@aol.com

\* Agents must have a LETTER OF AUTHORIZATION from all property owners at the time of filing.

**Property Owner:** SPDW Properties LLC **Contact Name:** Kevin Briquelet Miller  
**Mailing Address:** 1810 Patriot Drive **Phone:** (715) 571-2749  
Wausau, WI 54403 **Email:** briqmill5@aol.com

## PROJECT SITE SPECIFICATIONS

**Project Address:** 3907 Schofield Avenue **Lot Size(ft<sup>2</sup>):** 64468.8  
(or PIN if no address) **Acres:** 1.48  
**Property Zone:** B-3 - General Business **Proposed Rezone\*:** B-3 - General Business  
**Current Future Land Use Designation:** Commercial **Proposed Future Land Use Designation\*:** Commercial  
**Legal Description:** SE 1/4 of SE 1/4 Section 17 Town 28N Range 08E

\*A separate application is required for all Rezoning and Comprehensive Plan Map Amendments.

## APPLICATION COMPLETENESS

The applicant shall submit a site plan application to the Planning and Development Department. The site plan application shall not be placed on an agenda as an action item unless the application is approved and certified as complete by the Zoning Administrator. The review of a site plan application for completeness shall occur within ten working days of application submittal, or else the application shall be considered complete. The Zoning Administrator shall notify the applicant of the date and time of the applicable Plan Commission or Extraterritorial Zoning Committee meeting, if Commission or Committee review is required. Applications must be complete at least 10 days in advance of a Commission or Committee meeting to be scheduled for action at such meeting (as opposed to the subsequent meeting), except under exceptional circumstances as determined by the Zoning Administrator. **Failing to attach ALL OF THE REQUIRED COMPONENTS, when applicable, will result in the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded after 30-days of the application status being incomplete. Any fees collected in association with this permit shall not be refunded.**

## CONTRACTORS' INFORMATION

Construction of all projects obtaining site plan approval shall be overseen by a professional construction manager or project manager, whose name and contact information shall be provided by the project owner to the Zoning Administrator in the space provided below.

**Project Managing Firm:** JAS Construction LLC **Contact Name:** Josh Stumpner  
**Address:** T5450 North Troy Street **Phone:** (715) 675-0841  
Wausau, WI 54403 **Email:** josh@jasbuilds.com

**General Contracting Firm:** JAS Construction LLC **Contact Name:** Josh Stumpner  
**Address:** T5450 North Troy Street **Phone:** (715) 675-0841  
Wausau, WI 54403 **Email:** josh@jasbuilds.com

**Engineer:** Jim Borysenko  
**Address:** 4080 N. 20th Avenue  
Wausau, WI 54401

**License:** \_\_\_\_\_  
**Phone:** (715) 675-9784  
**Email:** jborysenko@reiengineering.com

**Licensed Architect Required.** All proposed new construction and building additions shall require building elevations stamped by an architect licensed in the State of Wisconsin, unless otherwise approved by the Plan Commission. All such elevations shall demonstrate compliance with Section 94.10.03 by showing the calculated percentages of all proposed exterior materials.

**Architect:** Rod Cox  
**Address:** 7702 Starflower Drive  
Wausau, WI 54401

**License:** \_\_\_\_\_  
**Phone:** (715) 355-8260  
**Email:** rodcox@coxandassociates.net

**Required Landscape Plan and Preparer Qualifications.** All proposed landscape plantings to be located on the subject property shall be depicted on a landscape plan as to their location, type, and size at time of planting and maturity. All landscape plans required under this Article shall be prepared by a licensed landscape architect, certified landscape designer, or another professional or individual skilled in landscape design as determined by the Zoning Administrator.

**Landscape Contractor:** Osswald Lawncare & Landscaping  
**Address:** 302 N. 57th Street  
Wausau, WI 54403

**License:** \_\_\_\_\_  
**Phone:** 715-845-8558  
**Email:** osswaldlandscape@yahoo.com

## SITE PLAN REQUIREMENTS

The applicant shall provide the Zoning Administrator with the complete application certified by the Zoning Administrator, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Except as otherwise allowed below or with the express approval of the Zoning Administrator, the application shall include the following information within the site plan or in supporting documentation to be considered complete:

- The date of the original plan and the latest date of revision to the plan.
- A north arrow and a graphic scale.
- A legal description or plat of survey of the subject property.
- All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled.
- Delineations and labels of floodplains, shoreland-wetlands, shoreland areas, steep slopes, and other natural resource areas.
- All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.
- All required building setback lines applicable to the zoning district(s), including setbacks from natural resource areas.
- A grading plan at the same scale as the main site plan; showing existing and proposed grades; finish floor elevations of all existing and proposed buildings; elevations of adjacent curbs, property lines, and street center lines; and retention walls and related devices.
- An erosion control plan, meeting applicable state and local requirements.
- The location of existing and proposed stormwater management and structures, along with any technical data required by the Director of Public Works or designee to determine the adequacy of the proposed facilities.
- Proposed land use or uses, with projected number of employees, residents, and maximum customer capacity (Should have been provided with the Zoning Permit Application)
- All existing and proposed buildings, structures, and hard surfaced and graveled areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls, labeling actual and proposed setbacks from all lot lines as well as the areas of all the impervious surfaces.
- The location and dimension of all access points onto public streets.
- The location and dimension of all on-site parking (and, if applicable, off-site parking), including a summary of the number of parking stalls provided versus required by Chapter 94.

- The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.
  - The location of all outdoor storage areas including dumpsters and the design and materials for all screening fences, including pre-approval from the contracted hauler on proposed design and location.
  - The location of all outdoor areas for daily, seasonal, or longer-term sales, display, and/or collection of merchandise, including but not limited to donation drop-off boxes and vending machines.
  - The location, type, height, fixture design, and cut-off angle of all exterior lighting, including a detailed photometric plan showing the distribution of light output across the property to the property lines.
  - A detailed landscaping plan for the subject property at the same scale as the main plan showing the location, type, and size of all proposed landscaping. All landscape plans shall be prepared by a licensed landscape architect, certified landscape designer, or another professional or individual skilled in landscape design as determined by the Zoning Administrator.
  - Elevation drawings, drawn to a recognized architectural scale, of proposed buildings or proposed remodeling of existing buildings to include exterior or roof mechanical equipment and lighting, and showing finished exterior treatment, with adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.
  - The location, type, height, size and lighting of all existing signage on the subject property, and for proposed signage to the extent practical at the time. Multitenant retail centers and group developments shall provide a sign plan for the project that:
    - Meets the submittal requirements of Section 94.13.02(2).
    - Includes proposed signable areas on building facades.
    - Includes a group development sign with space for individual business identification if desired.
- In the site plan map legend, the following additional data for the subject property:
- Proposed zoning (or existing zoning if no change)
  - Lot area
  - Total number and type of residential dwelling units (if applicable)
  - Total gross floor area of building and outdoor storage space
  - Landscape surface area, and percentage of site to be covered in green space
  - Building heights
  - Plans and methods for fire control and suppression, which may include hydrants, sprinklers, alarms, and/or access rooms. Compliance with the Fire Code shall be required.
  - If hazardous materials are to be kept or stored on site, a written description of such materials and the operations involving such materials conducted on their property. The Village may also require a process safety management, risk management, containment, and emergency response program.

**COMPARISON OF PROPOSED SITE PLAN WITH REQUIRED REVIEW CRITERIA**

1. Have all standards of the Village zoning ordinance and other applicable Village, Town, State, and Federal regulations been met? Explain how, or why not (May consult with Zoning Administrator or designee).

All standards set forth by the Village of Weston have been met. We met with members of the administrative staff to ensure we were compliant.

2. Explain what measures you have taken so that the project will not endanger public health or safety.

All activities will be governed by standards set forth by OSHA and all other local safety guidelines.

3. Have adequate public facilities and utilities been provided to serve the site? If not, how will they?

yes

4. How will stormwater and erosion be adequately managed?

Silt fence and a tracking pad will be placed to ensure site materials stay on site.

Swales and curb cuts will be utilized to disperse storm water as much as possible.

5. How will disruptions to existing topography, drainage patterns, and vegetative cover be minimized?

Elevations are designed to minimize impacts to the existing topography. Swales will be

utilized to control the location of storm water release. Curb and gutter will also be used to control water during storm events. Green areas will be maintained to promote positive flow.

6. How will traffic control and parking appropriate to the site and proposed land use be provided?

All requirements for ADA are met. There is minimal change to the existing access point on the site. Additional parking stalls will accommodate more patrons so it is less likely to have back-ups with the proposed design.

7. What measures will be taken to provide appropriate landscaping and open space areas?

A landscape architect/designer was used for placing all landscaping to ensure an aesthetically pleasing site.

8. How will the building(s) comply with architectural standards in Article 6 of the zoning ordinance?

An architect will be used for the building design to ensure proper interpretations and applications of the code are met.

### IMPERVIOUS SURFACES

All impervious surfaces must be identified on the property. Impervious surfaces includes the footprint of all existing and proposed structures, driveways, private walkways/sidewalks, patios and any other hard surfaces. All parcels must maintain a Landscape Surface Ratio (LSR). The following must be completely filled out. Failure to fill out this portion of the permit will result in the status of this application as incomplete.

**Hard surface:** A dustless, all-weather surface including concrete, asphalt paving, "black-top," pervious pavement, interlocking pavers, paving stones commercially designed and manufactured for the proposed purpose, any combination of these materials, or other similar material approved by the Zoning Administrator. Does not include gravel, other crushed stone, limestone screenings, clay, or other loose aggregate or organic material.

**Landscaped surface area ratio (LSR):** The percentage of the gross site area or lot area that is preserved as permanently protected landscaped area (green space), including vegetative roofs meeting the definition in this section.

**Existing Impervious Surfaces:**

Building Footprints:	(Principal and Accessory structures)					1,862.58	Ft <sup>2</sup>
Driveways/Parking Lots:	Surface Type:	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Pavers	<input type="checkbox"/> Gravel	11,092.21	Ft <sup>2</sup>
Walkways/Sidewalks:	Surface Type:	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Pavers	<input type="checkbox"/> Gravel		Ft <sup>2</sup>
Patio:	Surface Type:	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Concrete	<input type="checkbox"/> Pavers	<input type="checkbox"/> Gravel		Ft <sup>2</sup>
Other Hard Surfaces:	Surface Type:	_____					Ft <sup>2</sup>
<b>EXISTING IMPERVIOUS TOTAL:</b>						<b>12,954.79</b>	<b>Ft<sup>2</sup></b>

**Proposed Additional Impervious Surfaces:**

Building Footprints: (Principal and Accessory structures)		1170	Ft <sup>2</sup>
Driveways/Parking Lots: Surface Type:	<input type="checkbox"/> Asphalt <input type="checkbox"/> Concrete <input type="checkbox"/> Pavers <input type="checkbox"/> Gravel*	16950	Ft <sup>2</sup>
Walkways/Sidewalks: Surface Type:	<input type="checkbox"/> Asphalt <input type="checkbox"/> Concrete <input type="checkbox"/> Pavers <input type="checkbox"/> Gravel*	948	Ft <sup>2</sup>
Patio: Surface Type:	<input type="checkbox"/> Asphalt <input type="checkbox"/> Concrete <input type="checkbox"/> Pavers <input type="checkbox"/> Gravel*		Ft <sup>2</sup>
Other Hard Surfaces: Surface Type:	garbage slab	200	Ft <sup>2</sup>
<b>PROPOSED ADDITIONAL TOTAL:</b>		<u>19,268.00</u>	<b>Ft<sup>2</sup></b>
<b>EXISTING IMPERVIOUS TOTAL:</b>		<u>12,954.79</u>	<b>Ft<sup>2</sup></b>
<b>NEW IMPERVIOUS SURFACE GRAND TOTAL:</b>		<u>32,222.79</u>	<b>Ft<sup>2</sup></b>

**Landscape Surface Ratio Calculation:**

NEW GRAND TOTAL: 32,222.79      Divided by LOT SIZE: 64,468.80      Multiplied by **100** = 49.50      %

**REIMBURSEMENT FOR DEVELOPMENT REVIEW SERVICES**

The Village Planner, Village Engineer, Public Works Director, Village Attorney, and other Village staff and consultants may expend time in the administration, investigation, and processing of development review applications. In addition, the Village may retain the services of other professional consultants—including but not limited to landscape architects, architects, environmental specialists, and recreation specialists—in the investigation and processing of such applications.

Reinforcing the requirements of Section 94.16.18(4) of the Village zoning ordinance, the signing and submittal of this application or petition for development review shall be construed as an agreement to pay for professional consulting services associated with the administration, investigation, and processing of this application or petition. The Village Administrator shall retain sole discretion in determining when and to what extent it is necessary to involve one or more professional consultants in the review of each application or petition.

The Applicant shall be responsible for the costs for such professional consulting services. The Applicant shall pay such costs upon receipt of one or more invoices from the Village, following the execution of the development review services associated with the application. In the event the Applicant fails to pay such costs, the responsibility shall pass to the property owner, if different, under the same terms. Development review fees that are assigned to the Applicant or property owner, but that are not actually paid, may then be imposed by the Village as a special charge on the affected property.

In the event the Village should chooses to exercises the above stated policy, and as stated in the Zoning Code, the applicant shall be notified and consulted with prior to Staff expending additional time that is not already built into the review process fee and/or the hiring of a professional consultant for the review, processing and investigation of this application. The intent of the Zoning Administrator is to exercise this power in extreme and unusual circumstances or in the absence of the Zoning Administrator.

**STATEMENT OF UNDERSTANDING AND SIGNATURES**

By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified. **Failing to attach all the required components will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.**

  
 \_\_\_\_\_  
 Signature of Applicant

2/16/16  
 \_\_\_\_\_  
 Date

Property Owner     Project Owner     Project Manager

**STAFF TIME TABLE CHECKLIST**

- Pre-application conference with Planning and Development Department Staff. (optional)**  
Date: \_\_\_\_\_ Participants: \_\_\_\_\_
  
- Application and required plans filed with the Village.**  
Date: \_\_\_\_\_ Received by: \_\_\_\_\_
  
- Application fee received by Village.**  
Date: \_\_\_\_\_ Received by: \_\_\_\_\_
  
- Application and submitted plans verified as being complete.**  
Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_
  
- Determination by Zoning Administrator as to whether requested zoning permit requires approval or recommendation from another body under the zoning ordinance (e.g., conditional use permit, site plan approval). (Skip if N/A)**  
Review Authority: \_\_\_\_\_ Meeting Date: \_\_\_\_\_  
  
Action Taken:  Granted  Granted with modifications  Denied
  
- Zoning Administrator (or designee) action.** Designee: \_\_\_\_\_  
Date: \_\_\_\_\_ Action Taken:  Granted  Denied
  
- Applicant notified of decision and sent Occupancy Permit Application.**  
Date: \_\_\_\_\_ Sent by: \_\_\_\_\_
  
- Attached in Smart Search.**  
Date: \_\_\_\_\_ Attached by: \_\_\_\_\_
  
- Attached and closed in Beehive.**  
Date: \_\_\_\_\_ Closed by: \_\_\_\_\_

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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**REQUEST FROM:** **JARED WEHNER, ASSISTANT PLANNER**

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**ITEM DESCRIPTION:** **ZONING PERMIT ZONE-3-16-6594 – IMR BP AT 4101 SCHOFIELD AVENUE FOR AN ADDITIONAL PRINCIPAL USE OF INDOOR COMMERCIAL ENTERTAINMENT**

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**DATE/MTG:** **PLAN COMMISSION, MONDAY, APRIL 11, 2016 AT 6:00 PM**

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**POLICY QUESTION:** Should the Plan Commission approve the zoning permit for an additional principal use of INDOOR COMMERCIAL ENTERTAINMENT at IMR BP, located at 4101 Schofield Avenue?

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**RECOMMENDATION:** Approve Zoning Permit ZONE-3-16-6594, per staff recommendation to stripe the queue for the carwash as to prevent the queue from blocking ingress and egress of the parking stalls at the rear of the building, by the entrance of the Craft Beer Tasting room.

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**LEGISLATIVE ACTION:**

- |                                                    |                                    |                                       |
|----------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> <b>Approve</b> | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order      | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure               | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
- 

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**FISCAL IMPACT ANALYSIS:**

- Budget Line Item: \_\_\_\_\_
- Budget Line Item: \_\_\_\_\_
- Budgeted Expenditure: \_\_\_\_\_
- Budgeted Revenue: \_\_\_\_\_
- 

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**STATUTORY / RULEMAKING / POLICY REFERENCES:**

- WI Statute: \_\_\_\_\_
- WI Administrative Code: \_\_\_\_\_
- Case Law / Legal: \_\_\_\_\_
- Municipal Code: \_\_\_\_\_
- Municipal Rules: \_\_\_\_\_
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**PRIOR REVIEW:** Reviewed by Village Board on November 9, 2015 – Plan Commission required to further review by Trustee Zeigler.

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**BACKGROUND:**

IMR BP is proposing to convert office space into a separate craft beer tasting room and bar at the rear of the building. This new space would not have any path of egress/ingress between the existing convenience store, as required by State law for a Class ‘B’ Liquor license. Parking and bathroom facilities requirements have been satisfied. Please review the attached staff report for more information.

Attachments: Zoning Permit Staff Review Form

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**ZONING PERMIT STAFF REVIEW FORM**

*Village of Weston*

Department of Planning and Development

ZONING PERMIT NO.: **ZONE-3-16-6594**  
APPLICANT: **KEITH AND IRV RYBACKI, IMR BP**  
ADDRESS: **4101 SCHOFIELD AVENUE, WESTON, WI 54476**

REVIEWING BODY: **PLAN COMMISSION**  
REPORT BY: **JARED WEHNER, ASSISTANT PLANNER**

ZONING: **B-3 – GENERAL BUSINESS:** The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village’s neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan.

SUMMARY: IMR BP is proposing to add a new indoor commercial entertainment use in the form of a “Craft Beer Tasting Room,” where customers can sample a variety of craft beers. The sampling of beer is said to be limited and “monitored.” The site meets all the required 16 parking stalls per the Indoor Sales and Service and Indoor Commercial Entertainment uses, with a total of 19 spaces. The site may encounter some issues due to traffic and the queue for the carwash. The proposed site layout may prevent, during heavy use of the carwash, the ingress and egress of the parking stalls at the rear of the building, by the Craft Beer Tasting room. This may need to be striped to help direct traffic to prevent this. Currently, there are not any designated crosswalks from the sidewalk to the entrance of the building, but this can be addressed when the parking lot is either upgrades, repaved, or restriped.

RECOMMENDATION: **APPROVAL:** Staff recommends the approval of the zoning permit, so long as the queue for the entrance of the car wash is striped and does not inhibit the ingress or egress of the parking stalls at the rear of the building, by the entrance to the Craft Beer Tasting room.

**EXISTING USE:**

USE AND REQUIREMENTS	PROPOSED
<p><b>Indoor Sales and Service 94.4.05(5):</b> Includes all land uses, except as otherwise separately listed in this Section, that conduct or display sales or rental merchandise or equipment, or that conduct non-personal or non-professional services, entirely within an enclosed building. This includes a wide variety of retail stores and commercial service uses not otherwise listed in this Chapter, along with self-service facilities such as coin-operated laundromats. Includes uses like retail bakeries and delis where the consumption of products typically occurs off-site, but does not include restaurants, which are instead classified as “Indoor Commercial Entertainment” uses. Display of products outside of an enclosed building shall be considered an “Outdoor Display Incidental to Indoor Sales” accessory use, or, if outdoor sales exceed 15</p>	<ol style="list-style-type: none"> <li>1. Does not apply</li> <li>2. 11 parking spaces are required for this use. <i>3360 Square feet of building, divided by 300 square feet, equals 11 parking spaces required.</i> At least 11 spaces are provided, with a total of 19 spaces shown on the provided site plan.</li> </ol>

percent of the total sales area of the building(s) on the property, an “Outdoor Display” principal land use. Sales or service uses that are accessory to a principal residential use of a property are not considered “Indoor Sales or Service” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter. Does not include any “Commercial Animal Establishment” use.

**Performance Standards:**

- ~~1. Use may also be subject to conditional use permit requirements and adherence to performance, building design, and site design standards in Section 94.10.06 if classified as a “Large Retail and Commercial Service Development” under Section 94.10.04. However, following initial conditional use permit approval, individual “Indoor Sales or Service” uses may occupy the constructed spaces without the need for a further conditional use permit.~~
2. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

**Drive-up/Drive-Through Sales or Service 94.4.05(9):**

Includes all land uses that perform sales and/or services to persons in vehicles, or to vehicles that may or may not be occupied at the time of such activity (except “Outdoor and Vehicle Repair and Maintenance” land uses, which are separately listed and regulated). Such uses often have traffic volumes that exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples include drive-in, drive-up, and drive-through facilities in conjunction with another principal use (like a bank or restaurant), vehicular fuel stations, and car washes.

**Performance Standards:**

1. There shall be stacking space for at least five vehicles behind each drive-through order station, at least two vehicles between each order station and the first pass-through window, and at least two spaces beyond the last pass-through window for post-order pick-up.
2. The drive-through facility shall be designed so as to not impede or impair loading, vehicular movement, and pedestrian movement, or exacerbate the potential for conflicts with such activities.
3. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to drive-through lane(s).
4. All vehicular areas shall have a hard surface that is designed to meet the requirements of a minimum four-ton axle load.
5. ~~A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially-zoned property.~~

1. **The provided site plan does not show stacking for the car wash, or an order station for the car wash. On days where the car wash is busy, customers may not be able to park in the provided stalls behind the building due to the queue for the car wash.**

2. Currently, the site meets this requirement. The queue for the car wash may make parking difficult at the rear of the building (*see above*).

**3. Currently, there are not any striped crosswalks for pedestrian movement on the property. This should be addressed at the time the parking lot is upgraded, restriped or resurfaced.**

4. Meets requirements – the site is asphalted

5. Not applicable.

6. Meets requirements

7. Not applicable.

8. *See above.*

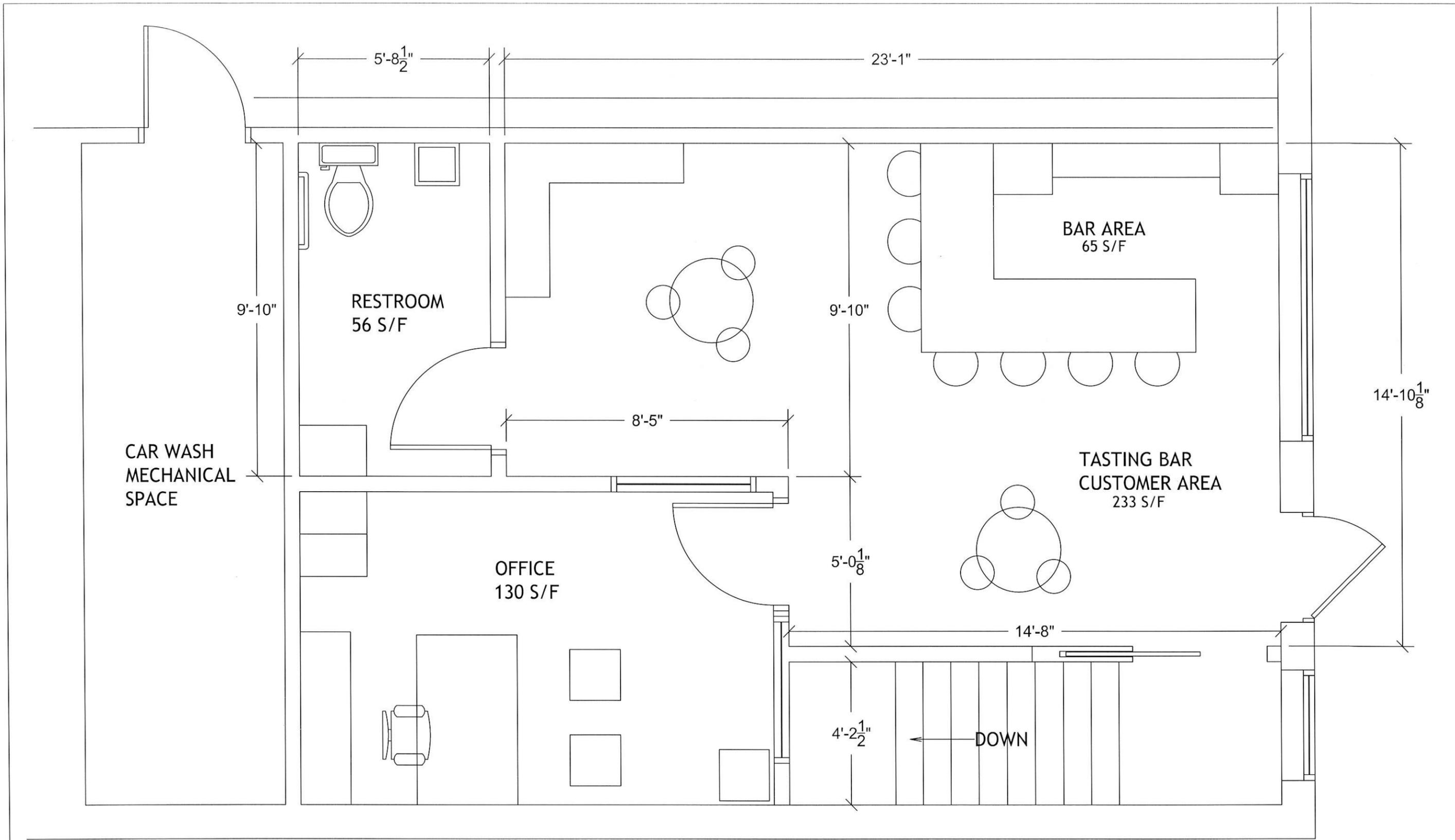
6. Vertical concrete curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports, and landscaped islands.

~~7. Any land use that conducts sales from a vehicle such as a food truck or trailer, or from any other structure for an outdoor food or beverage vendor, that is in one place for more than 7 consecutive days is not classified as a "Drive-Through and Drive-In Sales or Service" use and is prohibited within the Village.~~

8. Minimum Require Off-Street Parking: Refer to the parking requirements of the other land uses on the site, such as "Indoor Sales and Service" land uses for a gas station/convenience store (*see above*).

**PROPOSED USE:**

USE AND REQUIREMENTS	PROPOSED
<p><b>Indoor Commercial Entertainment 94.4.05(10):</b> Includes all uses that provide entertainment services entirely within an enclosed building, or where outdoor entertainment facilities are present, the land area of such facilities is not greater than 15 percent of the gross floor area indoors. Indoor Commercial Entertainment uses often have operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, brewpubs, <b>taverns</b>, theaters, health or fitness centers, other indoor private recreation centers, training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, indoor shooting ranges, and pool halls. Does not include any "Microbeverage Production Facility" or "Adult Entertainment or Adult-Oriented Establishment," which instead are listed and regulated separately. Does not include permanent or seasonal dining establishments in which products are grown and served on the same farm, which are instead regulated as "On-site Agricultural Retail" uses.</p> <p><b>Performance Standards:</b></p> <p><del>1. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.</del></p> <p><del>2. Where the limited outdoor space allowed for Indoor Commercial Entertainment uses allows for the service or consumption of alcohol, the use requires a conditional use permit and is subject to the performance standards associated with an "Outdoor Alcohol Area" in Section 94.4.09(17).</del></p> <p><del>3. Air domes may be allowed to house all or part of the indoor commercial entertainment use by conditional use permit.</del></p> <p>4. Minimum Required Off-Street Parking: one space per every three patron seats, or the maximum capacity of the establishment (whichever is greater).</p>	<p>1. Not applicable.</p> <p>2. Not applicable</p> <p>3. Not applicable.</p> <p>4. 5 parking spaces are required for this use. <i>13 seats in the establishment, divided by 3 seats, equals 5 parking spaces required (rounded up).</i> At least 5 spaces are provided, with a total of 19 spaces shown on the provided site plan.</p>



**Creative Design Resources LLC**  
 8008 Technolgy Drive Suite B  
 Weston, WI 54476  
 Phone 715.551.0585 or 715.551.0586 - Fax 715-359-1600

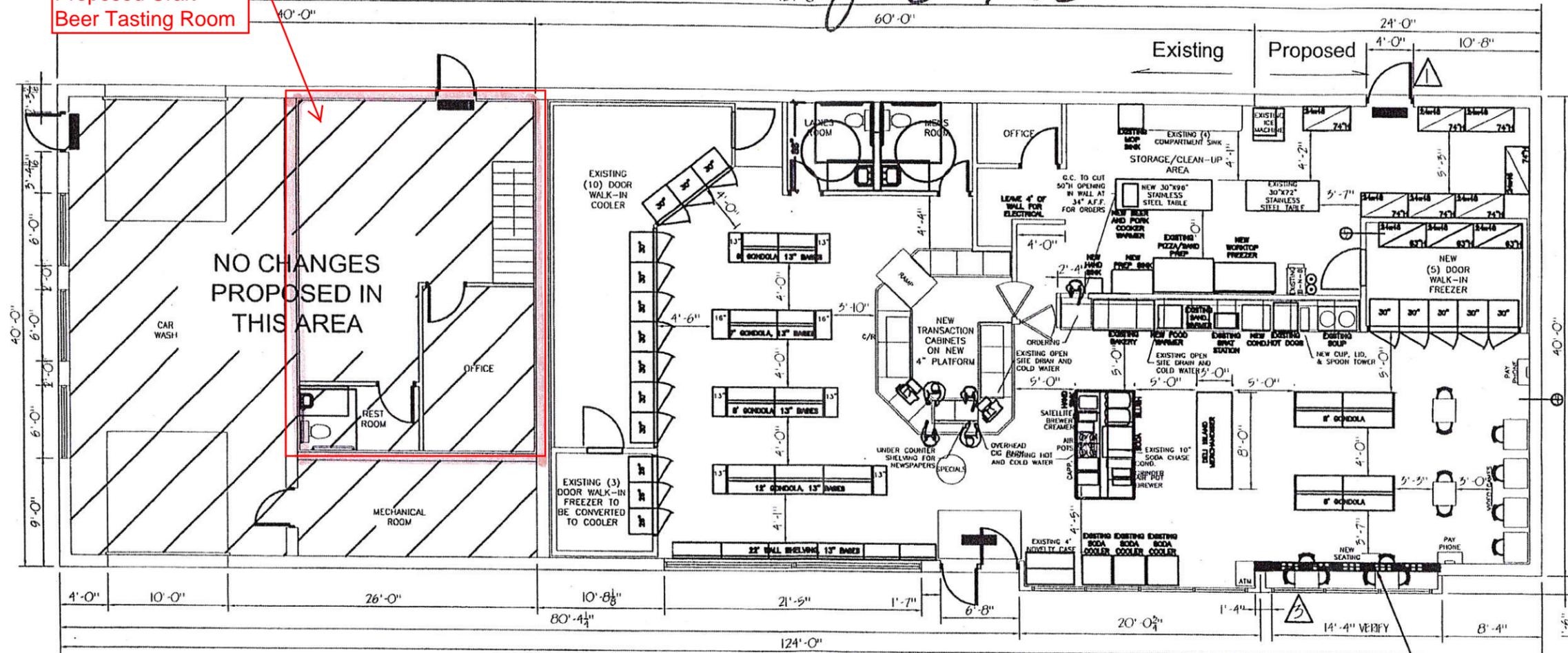
Project Name  
**TASTING BAR - 4101 SCHOFIELD AVENUE**  
 Project Location  
**WESTON, WI**

Project Number	Drawing Title			
-	<b>PLAN</b>			
Project Phase Number	Drawn By	Project Mgr.	Last Revised By	Drawing Set Date
<b>01</b>	JNJ 01-26-16		JNJ 03-23-16	<b>03-23-16</b>
			2	<b>01</b>



*Ray Burgess*  
8-4-06

Proposed Craft Beer Tasting Room



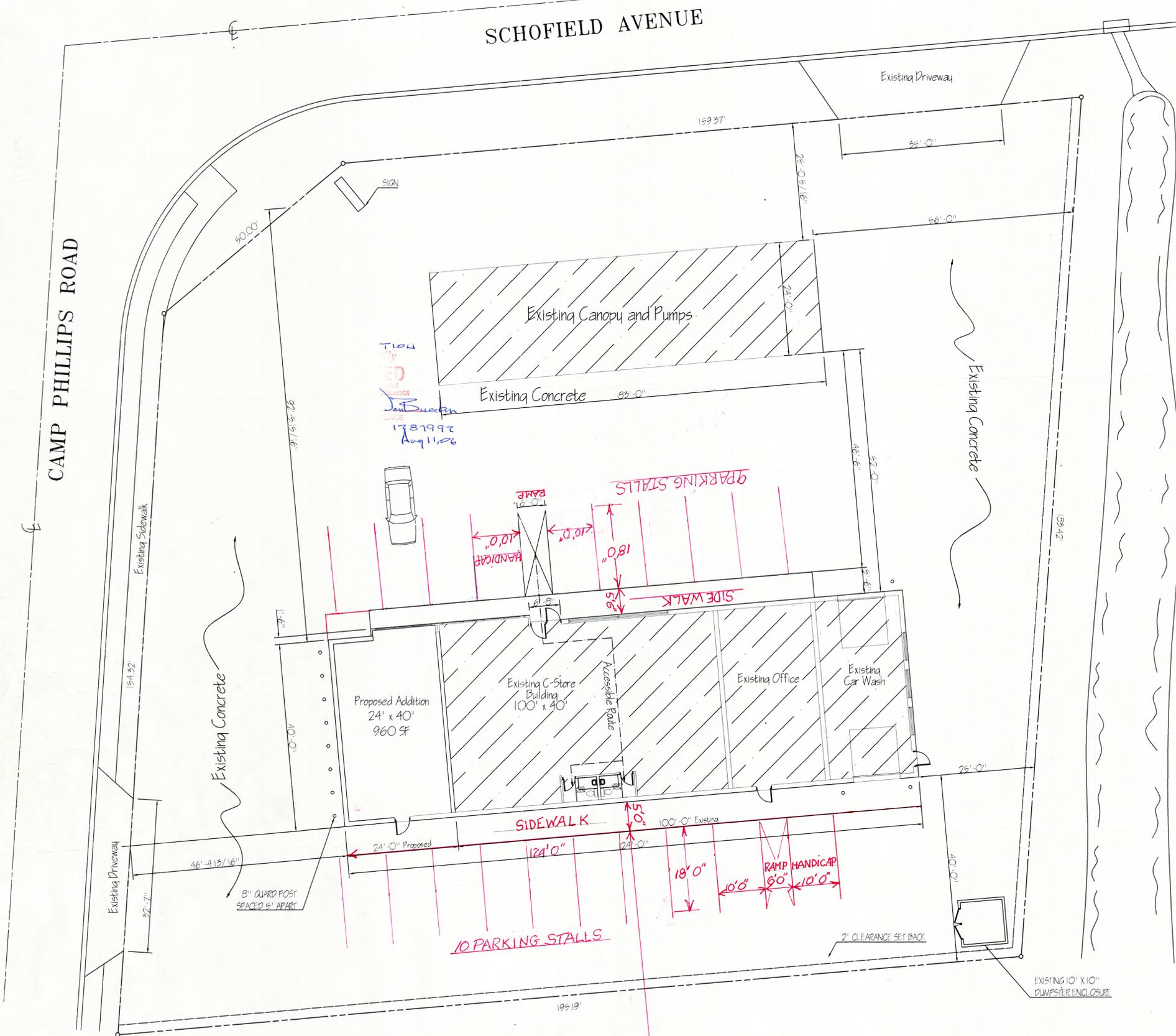
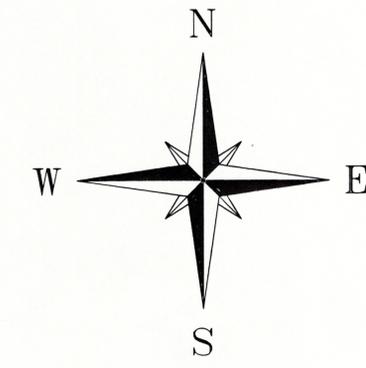
Proposed Floor Plan

Scale: 3/16" = 1'0"

Me X 2o W/ 11" X 1/4" FLAT BOTTOM

SCHOFIELD AVENUE

CAMP PHILLIPS ROAD



**PROPOSED: IMR BP ADDITION**

4101 Schofield Avenue, Schofield, WI  
 Lot Size- 34,888 Sq. Ft.  
 Lot Size- .801 Acres  
 Existing Building - 4,038 Sq. Ft. Type 6 Metal Bldg.  
 Addition - 827 Sq. Ft. Type Vb  
 Total- 4,865 Sq. Ft.  
 F.A.R. 4,865 / 34,888 = 14%

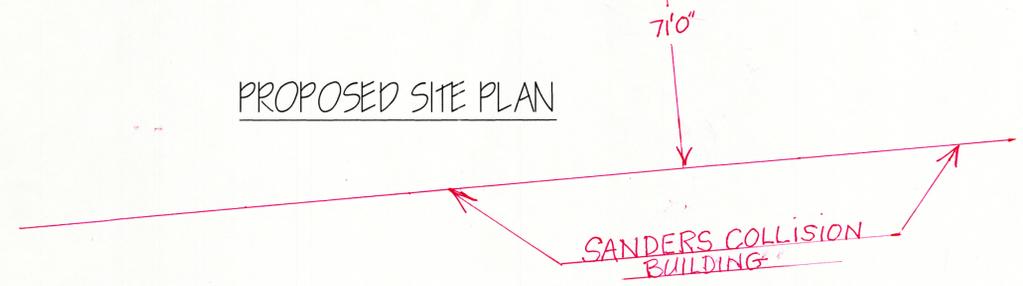
**WESTON ZONING - B3 (GENERAL COMMERCIAL)**

Required Setbacks  
 Principal Drive Side - 30'  
 Principal Other Side - 15'  
 Street/ Corner - 30'  
 Rear Yard - 40'

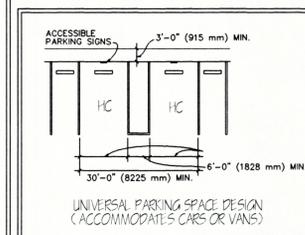
**NOTE:**

1. THE ADDITION WILL REPLACE EXISTING ASPHALT AREA. NO ADDITIONAL IMPERVIOUS AREAS ARE PROPOSED.
2. NO ADDITIONAL LANDSCAPING IS PROPOSED

PROPOSED SITE PLAN



**Ray Burgess** 6-22-06  
 Ray K. Burgess E-7769 Wisconsin Professional Engineer



SHEET INDEX	
1 of 3	SI - Site Plan
2 of 3	FI - Floor Plan
3 of 3	EI - Elevation/ Foundation/ Details

PROPOSED:

IMR BP  
Schofield, WI

SCALE: 3/32" = 1'-0"	DATE: 5/15/06
DRAWN BY: J.C.	CHECKED BY: J.M.
DRAWING DESCRIPTION: SI - Site Drawing	
PAGE: 1 OF 3	

# Permanent Sign

Permit

Village of Weston

Date: 3/17/2016

Permit #: SIGN-4-16-6607

Payment Type:  Cash  Check 1719

**FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING**



5500 Schofield Ave  
Weston, WI 54476

-- PLEASE USE THE ONLINE FILLABLE PDF --

## NEW, REPLACEMENT AND RE-FACING SIGN PROJECT TYPE AND FEES

			<b>NO FEE</b>
<input type="checkbox"/>	Face Replacement (Existing Business Only. No change in sign size or location)		
<input checked="" type="checkbox"/>	Wall Sign(s)	\$25.00 +\$1.00/ft <sup>2</sup> over 50ft <sup>2</sup> per sign	\$ <u>\$25.00</u> [44/4461]
<input checked="" type="checkbox"/>	Freestanding Sign(s)	\$50.00 +\$1.00/ft <sup>2</sup> over 50ft <sup>2</sup> per sign	\$ <u><del>50.00</del></u> [44/4462]
<input type="checkbox"/>	Electrical Inspection: <i>New Only</i>	\$50.00 per sign	\$ _____ [44/4463]
<input type="checkbox"/>	Sandwich Board/Pedestal Sign	\$25.00 – one sign per business	\$ <b>25.00</b> [44/4464]
<input type="checkbox"/>	Panel Replacement in a Development Sign	\$25.00 per business	\$ <b>25.00</b> [44/4465]
<b>TOTAL FEE:</b>			<b>\$ <u>50.00</u></b>

## APPLICANT INFORMATION

**Business Name:** Ringle Medical      **Contact Name:** SAC Panetta  
**Business Owner:** SAC Panetta      **Project Address:** 5906 Hilgemann St  
**Mailing Address:** R2141 Lodholz Rd      Weston WI 54476  
Ringle, WI 54471      **Phone:** 715 370-5753  
**Website:** \_\_\_\_\_      **Email:** ringlemed1@yahoo.com

**Property Owner:** Richard Wantz      **Contact Name:** Richard or Carol  
**Mailing Address:** 6524 County Rd C      **Phone:** 715 454-6508  
Hatley WI 54440      **Email:** \_\_\_\_\_  
**Property Zone:** \_\_\_\_\_

**Current Use of Property:**     Multiple Family Residential     Mixed Commercial/Residential     Office  
 (Check all that apply)     Retail/Services     Industrial/Manufacturing     Institutional  
                                   Parking     Other: \_\_\_\_\_

## CONTRACTOR INFORMATION

**Sign Contractor:** Graphics Plus      **Contact Name:** Rich Barthig  
**Address:** 2009 Schofield Ave      **Phone:** (715) 355-7071  
Schofield, WI 54471      **Email:** \_\_\_\_\_

## COSTS OF PROJECT

Sign 1:      \$ 350.00      Sign 2:      \$ \_\_\_\_\_  
 Sign 3:      \$ \_\_\_\_\_      Sign 4:      \$ \_\_\_\_\_

**SITE PLAN REQUIRED**

**A site plan for the property** showing, at a minimum, the location of the proposed sign(s). **NOTE:** This includes all sandwich boards or pedestal sign, as they are considered permanent signs that may be used on a temporary basis. Please see the definitions in Section 94.13.03(2)(k); the location and specifications of all existing signs on the property and building(s); all property lines and buildings on the property; and parking areas, driveways, public roads, and buildings within 50 feet of the proposed sign and landscaping shall be submitted with this application. If the proposed sign(s) is a new wall sign, panel replacement or re-facing of an existing wall sign and no other signs exists on the property or all freestanding signs are proposed to be removed and not replaced, only then the attachment of the required site plan be waived. Some parcel information and maps may be obtained via the [Marathon County Land Information Mapping System](#).

- Has the site plan been attached?  Yes  No  N/A
- Does the site plan include ALL the required components listed above?  Yes  No  N/A

**FOR PROPERTIES ADJACENT TO STATE HIGHWAY 29:**

A line marking a distance equal to 660 feet from the nearest right-of-way from any U.S. Highway, State Highway, or Interstate. Any sign on property within a U.S. or State Highway right-of-way or setback jurisdiction may also require approval from the WiDOT.

- Are the following requirements shown on the site plan?  Yes  No  N/A
- Has the State of Wisconsin Department of Transportation approval been attached (if required)?  Yes  No  N/A

**DIAGRAM(S) REQUIRED**

**A diagram for each of the proposed signs**, drawn to a recognized scale, and listing and depicting the type, height, total height (on pylon or building etc...), width, total sign square footage, square footage of each sign component, method of attachment, structural support, method of illumination, sign materials and value shall be submitted with this application. A picture showing the proposed sign superimposed over or at the proposed placement shall be submitted with this application.

- How many wall signs are being proposed? (New, replacement and re-facing) none
- How many freestanding signs are being proposed? (New, replacement and re-facing) \_\_\_\_\_
- Will there be a sandwich board or pedestal sign (*only one is allowed per business*)?  Yes  No
- Has the diagram been attached for **each** proposed sign?  Yes  No
- Does each diagram have **ALL** the required components listed above?  Yes  No

**EXISTING SIGNS**

**The specifications for all existing signs**, which include height, width, total height on building or pylon, square footage, number of sides, type of sign, and type of illumination is to be included on a separate document with the submittal of this application. A picture of each existing sign is to be included as well.

- How many signs are existing on the subject property? 1
- Has the specifications of each existing sign been attached?  Yes  No  N/A
- Has the picture of each existing sign been attached?  Yes  No  N/A

**BASIS FOR GRANTING AND ISSUANCE**

- Has the applicant reviewed [ARTICLE 13](#) prior to submitting this application?  Yes  No
- Have all standards of Article 13 of the Village zoning ordinance and other applicable Village, Town, State, and Federal regulations been met? If not, please explain which standards are not met or not yet met, and why.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Are there any traffic safety, traffic visibility, sign setbacks, and structural integrity matters associated with this sign(s)? Explain which ones, or what measures have been taken to assure that these matters have been addressed.

Under the Village's zoning ordinance, is a conditional use permit or site plan approval required for the sign? If so, has one been granted? Conditional use permits or site plan approvals are required for certain types of signs (e.g., community information signs), where normal dimensions of certain types of signs are proposed to be exceeded (e.g., for freestanding signs in agricultural zoning districts), or for signs within certain types of developments (e.g., large scale retail).

**REIMBURSEMENT FOR DEVELOPMENT REVIEW SERVICES**

The Village Planner, Village Engineer, Public Works Director, Village Attorney, and other Village staff and consultants may expend time in the administration, investigation, and processing of development review applications. In addition, the Village may retain the services of other professional consultants—including but not limited to landscape architects, architects, environmental specialists, and recreation specialists—in the investigation and processing of such applications.

Reinforcing the requirements of Section 94.16.18(4) of the Village zoning ordinance, the signing and submittal of this application or petition for development review shall be construed as an agreement to pay for professional consulting services associated with the administration, investigation, and processing of this application or petition. The Village Administrator shall retain sole discretion in determining when and to what extent it is necessary to involve one or more professional consultants in the review of each application or petition.

The Applicant shall be responsible for the costs for such professional consulting services. The Applicant shall pay such costs upon receipt of one or more invoices from the Village, following the execution of the development review services associated with the application. In the event the Applicant fails to pay such costs, the responsibility shall pass to the property owner, if different, under the same terms. Development review fees that are assigned to the Applicant or property owner, but that are not actually paid, may then be imposed by the Village as a special charge on the affected property.

**STATEMENTS OF UNDERSTANDING AND SIGNATURES**

By signing and dating below, I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified. **Failing to attach the ALL OF THE REQUIRED COMPONENTS, when applicable, will result in the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains as incomplete. Any fees collected will not be refunded. ALL FINALIZED PERMITS WILL BE SENT VIA EMAIL OR BE PICKED UP AT THE MUNICIPAL CENTER. Permits will not be sent by mail.** Work on the proposed project cannot begin without the issuance of a permit. Permits filled after the fact shall be subject to double the fee and a \$50.00 fine.



3-17-2016

Signature of Applicant

Date

Property Owner     Contractor

Lease

STAFF REVIEW

PIN: 19228081640123

Zoning: LI-LIMITED INDUSTRIAL  Village  ETZ

Filed After the Fact:  Yes  No

Fine Imposed:  Yes  No

Amount: \$0.00

Sign 1 Specification:

Permit No.: SIGN-4-16-6607

Width: 4'

Height: 25'

Single  Double

Total Square Feet: 10

Total Height: UNKNOWN

Sign Type: WALL

Setbacks: N/A

Value: \$350.00

Illuminated:

Yes  No Type: \_\_\_\_\_

Sign meets requirements?  Yes  No  Conforming  Legally Non-Conforming

Conditions/Modifications for approval: SIGN SHALL BE INSTALL ON THE WALL AND SHALL NOT BE INSTALLED AS IN A MANNER THAT EXCEEDS THE HEIGHT OF THE ROOF.

Sign 2 Specification:

Permit No.: \_\_\_\_\_

Width: \_\_\_\_\_

Height: \_\_\_\_\_

Single  Double

Total Square Feet: \_\_\_\_\_

Total Height: \_\_\_\_\_

Sign Type: \_\_\_\_\_

Setbacks: \_\_\_\_\_

Value: \_\_\_\_\_

Illuminated:

Yes  No Type: \_\_\_\_\_

Sign meets requirements?  Yes  No  Conforming  Legally Non-Conforming

Conditions/Modifications for approval: \_\_\_\_\_

Sign 3 Specification:

Permit No.: \_\_\_\_\_

Width: \_\_\_\_\_

Height: \_\_\_\_\_

Single  Double

Total Square Feet: \_\_\_\_\_

Total Height: \_\_\_\_\_

Sign Type: \_\_\_\_\_

Setbacks: \_\_\_\_\_

Value: \_\_\_\_\_

Illuminated:

Yes  No Type: \_\_\_\_\_

Sign meets requirements?  Yes  No  Conforming  Legally Non-Conforming

Conditions/Modifications for approval: \_\_\_\_\_

Sign 4 Specification:

Permit No.: \_\_\_\_\_

Width: \_\_\_\_\_

Height: \_\_\_\_\_

Single  Double

Total Square Feet: \_\_\_\_\_

Total Height: \_\_\_\_\_

Sign Type: \_\_\_\_\_

Setbacks: \_\_\_\_\_

Value: \_\_\_\_\_

Illuminated:

Yes  No Type: \_\_\_\_\_

Sign meets requirements?  Yes  No  Conforming  Legally Non-Conforming

Conditions/Modifications for approval: \_\_\_\_\_

  
Signature of Zoning Administrator or Designee

3/21/2016  
Date

Permit Number(s) SIGN-4-16-6607

Approved  Denied

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**STAFF TIME TABLE CHECKLIST**

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- Pre-application conference with Planning and Development Department Staff (optional).**  
Date: \_\_\_\_\_ Participants: \_\_\_\_\_
  
- Application and required plans filed with the Village.**  
Date: \_\_\_\_\_ Received by: \_\_\_\_\_
  
- Application fee received by Village.**  
Date: \_\_\_\_\_ Received by: \_\_\_\_\_
  
- Application and submitted plans verified as being complete.**  
Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_
  
- Determination by Zoning Administrator as to whether requested sign requires approval or recommendation from another body under the zoning ordinance (e.g., conditional use permit, site plan approval). (Skip if N/A)**  
Review Authority: \_\_\_\_\_ Meeting Date: \_\_\_\_\_  
  
Action Taken:  Approved as presented  Approved with modifications  Denied
  
- Zoning Administrator (or designee) action.** Designee: \_\_\_\_\_  
Date: \_\_\_\_\_ Action Taken:  Approved as presented  Approved with modifications  Denied
  
- Building Inspector electrical inspection.**  
Date: \_\_\_\_\_ Inspection:  Pass  Requires Re-inspection  Denied
  
- Applicant notified of decision.**  
Date: \_\_\_\_\_ Sent by: \_\_\_\_\_
  
- Attached in Smart Search.**  
Date: \_\_\_\_\_ Attached by: \_\_\_\_\_
  
- Attached and closed in Beehive.**  
Date: \_\_\_\_\_ Closed by: \_\_\_\_\_

Irvin M. Rybacki, Inc., owner  
Keith M. Rybacki, Manager  
I&S Enterprises, Inc.  
4101 Schofield Ave.  
Schofield, WI 54476  
Weston

March 20, 2016

Village of Weston Planning Commission  
Weston Municipal Center  
5500 Schofield Ave  
Schofield, WI 54476  
Weston

Re: IMR BP Application for a Class B Beer License

IMR BP desires to convert its back office area, approximately 300 Sq ft., into a Craft Beer Tasting Bar. The intent is that the consumer will be able to 'try' and buy singles of many different craft beer selections. Should a consumer enjoy a particular craft beer selection, he or she may purchase that product in bulk, inside our C-store. Customers will be served 3 oz. tastings and will be able to purchase singles that can be enjoyed on premise. Hours of operation would be 8AM to 10 PM, subject to change should demand dictate. A licensed bar tender will always be managing the "Craft Room" during hours of operation.

Following: Our answers to written concerns the Planning Commission expressed on its 10/21/2015 agenda cover sheet.

1. Your current concern that the Class A beer and Class A Liquor licensed operation (IMR BP) is connected to the new Class B Beer operation.

Our Back office area will be a completely separate business from IMR BP, with its own LLC for the Craft Room, its own entrance door, area and operation . Class A and B licensed operations will be completely separate.

2. Your second concern is that there are not enough parking spots for the new business on the same premise.

We currently have 8 parking stalls in the back of IMR BP, 10 parking stalls in front of IMR BP and 1 handicap stall in front of IMR BP. Total is 19 parking stalls which is in excess of the 18 stall requirement.

3. Zone B-3 - General Commercial (In-door commercial entertainment) should not be an issue for your concern that there is not enough sq.ft. of space for the number of occupants.

Our new plan has 297 sq.ft of space. That does include the bar with built in coolers, which does take away some customer space. No more than 13 people will be allowed at any one time; seating will be set up for this number of people only. 13 occupants x 15 sq. ft. per person honors the 195 sq ft of space required. The craft room bar area will be using approximately 90

sq ft. of space, leaving approx. 207 sq ft. of space for consumers. This passes all space requirements.

4. Your concern that there is no bathroom in the previous plan.

This new proposed plan has a unisex 60 + sq ft rest room, handicapped accessible, that already exists in the proposed back office area. This meets the state commercial building code.

5. Concern involving Ingress and Egress and adding alcohol into the equation on a busy intersection.

Since it would be rare that all 13 seats in the Craft room would be occupied at the same time for the same period of time, there would be very little difference in traffic movement from and to the main roads. We would not expect movement of traffic to be any different from what it has been in the past. We anticipate that responsible employees will carefully monitor and control the degree of 'beer tasting' that occurs in the Craft room.

It is fortunate to have a business on a busy intersection. Our pride is the instigator of making our corner into something special, spending a great deal of money on remodeling and image upgrades. In the past 7 years, we've made IMR BP the attractive business that you see today. These upgrades include: Expansion of the building, New parking lot upgrade and landscaping, New road sign, new outside 'To Go' image, All new LED lighting both inside and outside, New 'Razor' carwash, New Look image inside, New Re-model/product offerings inside (just completed), New wine and craft beer selections, New food commodity offerings.

With all these improvements and successes, we want to expand our vision of yet another area of customer service, providing a way for customers to try a craft beer before they buy. We believe this is a great concept that will set us apart from others and also another reason to draw more customers to Weston and the IMR BP.

Thank you for giving this request your serious consideration.

Keith Rybacki

Recently Added

CRAFT BEER

Selections To

IMR BP

Cooler Set.

Approx. 30

New Brands

That We Will

Show Case In

The "CRAFT ROOM".



*Back*





**PROJECT SITE SPECIFICATIONS**

Project Type: New Use

Project Address: 4101 Schofield Ave,  
(or PIN if no address)

Building Size (ft²): 4960 total

Weston, WI. 54476

Lot Size(ft² & Acres): • 8 acres

Property Zone: B-3 - General Business

Legal Description: Parcel 1, CSM#4943, Vol 26, Pg. 136, Doc.# 974167

**OPERATIONAL PLAN REQUIRED**

The following components are required in the operational plan: **(1)** detailed description of the activities and process which will be taking place on the above stated property. This includes all principal uses, accessory uses and temporary uses (please see the use chart in Chapter 94 Article 3 of the zoning code); **(2)** a statement regarding outdoor storage and a detailed description of the materials being proposed to be stored (are there hazardous materials?); **(3)** a statement regarding the impacts on the neighboring parcels. What is the anticipated increase in traffic? The number of employees working on site. Drop-off and/or pick-up of materials and/or products (what times will these occur?); **(4)** existing facilities at the proposed site. Will there be the need to add or reduce the facilities (this includes parking spaces and square footage of the building/space occupied or outdoor storage); **(5)** what additional licenses are required to operate? A copy of all licenses will be required to be submitted with the occupancy application; **(6)** please include any other pertinent information.

Has the operational plan been attached?

Yes  No

Does the operational plan include ALL the required components listed above?

Yes  No

**SITE PLAN REQUIRED**

**A site plan shall be submitted with this application.** The site plan showing the following features: legal description of the property; subject site with lot dimensions, buildings, uses, fences, and other structures; easements; streets, railroads and other public right-of-ways; off-street parking areas and total number of available parking spaces; loading areas and driveways; outdoor storage areas; highway access restrictions and other restrictions where applicable; water ways, wetlands and floodplain boundaries; existing and proposed front, interior and rear yard setbacks. Some parcel information and maps may be obtained via the Marathon County Land Information Mapping System. For new construction, building additions and accessory structures this requirement is waived for this application. A separate **Commercial Site Plan Application** will be issued once this application has been approved by staff.

Has the site plan been attached?

Yes  No  N/A

Does the site plan include ALL the required components listed above?

Yes  No  N/A

**OTHER REQUIREMENTS**

A copy or description of any prior rezoning, conditional use permit, site plan, variance or other Village actions may be required to be submitted before a zoning permit may be issued. The Zoning Administrator or appointed designee will review the zoning compliance requirements with the applicant as necessary.

Has the required information been attached?

Yes  No  N/A

**REIMBURSEMENT FOR DEVELOPMENT REVIEW SERVICES**

The Village Planner, Village Engineer, Public Works Director, Village Attorney, and other Village staff and consultants may expend time in the administration, investigation, and processing of development review applications. In addition, the Village may retain the services of other professional consultants—including but not limited to landscape architects, architects, environmental specialists, and recreation specialists—in the investigation and processing of such applications.

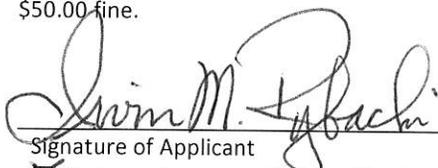
Reinforcing the requirements of Section 94.16.18(4) of the Village zoning ordinance, the signing and submittal of this application or petition for development review shall be construed as an agreement to pay for professional consulting services associated with the administration, investigation, and processing of this application or petition. The Village Administrator shall retain sole discretion in determining when and to what extent it is necessary to involve one or more professional consultants in the review of each application or petition.

The Applicant shall be responsible for the costs for such professional consulting services. The Applicant shall pay such costs upon receipt of one or more invoices from the Village, following the execution of the development review services associated with the application. In the event the Applicant fails to pay such costs, the responsibility shall pass to the property owner, if different, under

the same terms. Development review fees that are assigned to the Applicant or property owner, but that are not actually paid, may then be imposed by the Village as a special charge on the affected property.

### STATEMENT OF UNDERSTANDING AND SIGNATURES

By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified. Failing to attach all the required components will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded. **ALL FINALIZED PERMITS WILL BE SENT VIA EMAIL OR BE PICKED UP AT THE MUNICIPAL CENTER. Permits will not be sent by mail.** Work on the proposed project cannot begin without the issuance of a permit. Permits filled after the face shall be subject to double the fee and a \$50.00 fine.



Signature of Applicant

03/22/2016  
Date

Property Owner     Project/Business Owner     Project Manager

**STAFF REVIEW**

PIN: 192-2808-163-0971

Zoning: B-3  Village  ETZ

Filed After the Fact:  Yes  No

Fine Imposed:  Yes  No

Amount: \_\_\_\_\_

Conditional Use:  Yes  No Reason: \_\_\_\_\_

Use: \_\_\_\_\_

Proposed PC/ETZ Meeting Date: \_\_\_\_\_

CUP Number: \_\_\_\_\_

Rezone:  Yes  No Reason: \_\_\_\_\_

Requested Zone: \_\_\_\_\_

Proposed PC/ETZ Meeting Date: \_\_\_\_\_

Rezone Number: \_\_\_\_\_

Variance:  Yes  No Reason: \_\_\_\_\_

Requested Variance: \_\_\_\_\_

Proposed ZBA Meeting Date: \_\_\_\_\_

Variance Number: \_\_\_\_\_

Site Plan Application No. \_\_\_\_\_

Approval Date: \_\_\_\_\_

Building Permit No. \_\_\_\_\_

Approval Date: \_\_\_\_\_

Sign Permit No. \_\_\_\_\_

Permanent / Temp Date: \_\_\_\_\_

Code Section: B3-General Business (94.2.02(3)(d)) Convenience Store and fuel

Comments: pumps fall under Indoor Sales or Service (94.4.05(5)), and Drive-Through & Drive-In Sales or Service (94.4.05(9)), and outdoor Display Incidental to Indoor Sales or service (94.4.09(15)) - which are permitted uses within the B-3 District.

The proposed Craft Beer Tasting Bar falls under the Indoor Commercial Entertainment use (94.4.05(10)), which is also permitted within the B-3 zoning District.

Signature of Zoning Administrator or Designee

Date

Permit Number

ZONE-3-16-60594

Approved  Denied

**STAFF TIME TABLE CHECKLIST**

- Pre-application conference with Planning and Development Department Staff. (optional)**  
Date: \_\_\_\_\_ Participants: \_\_\_\_\_
  
- Application and required plans filed with the Village.**  
Date: 3-22-16 Received by: VP
  
- Application fee received by Village.**  
Date: \_\_\_\_\_ Received by: \_\_\_\_\_
  
- Application and submitted plans verified as being complete.**  
Date: \_\_\_\_\_ Reviewed by: \_\_\_\_\_
  
- Determination by Zoning Administrator as to whether requested zoning permit requires approval or recommendation from another body under the zoning ordinance (e.g., conditional use permit, site plan approval). (Skip if N/A)**  
Review Authority: \_\_\_\_\_ Meeting Date: \_\_\_\_\_  
  
Action Taken:  Granted  Granted with modifications  Denied
  
- Zoning Administrator (or designee) action.** Designee: \_\_\_\_\_  
Date: \_\_\_\_\_ Action Taken:  Granted  Denied
  
- Applicant notified of decision and sent Occupancy Permit Application.**  
Date: \_\_\_\_\_ Sent by: \_\_\_\_\_
  
- Attached in Smart Search.**  
Date: \_\_\_\_\_ Attached by: \_\_\_\_\_
  
- Attached and closed in Beehive.**  
Date: \_\_\_\_\_ Closed by: \_\_\_\_\_

- (b) B-1 *Neighborhood Business*. The B-1 district accommodates small-scale office, retail, and service uses compatible with adjacent residential neighborhoods. Development within this district is served by public sanitary sewer and water services. The B-1 district is intended for areas planned for commercial uses, and for small portions of areas planned for neighborhood development, within the Comprehensive Plan. (Predecessor district: B-1 Neighborhood Convenience Retail and Service)
  - (c) B-2 *Highway Business*. The B-2 district accommodates a range of large- and small-scale office, retail, commercial service, restaurant, and lodging uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses within the Comprehensive Plan. (Predecessor district: B-2 Community Retail and Service)
  - (d) B-3 *General Business*. The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district B-3 General Commercial)
  - (e) BP *Business Park*. The BP district accommodates office, light industrial, and other compatible businesses and support uses in a controlled business or office park setting. Allowable uses and activities include those associated with low levels of noise, odor, vibrations, and particulate emissions. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district: B-P Business Park and B-4 Office)
  - (f) LI *Limited Industrial*. The LI district accommodates primarily light industrial, storage, office, and other compatible businesses and support uses. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, outdoor activities, and other potential nuisances. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for industrial uses within the Comprehensive Plan. (Predecessor district: LMD Light Manufacturing Distribution)
  - (g) GI *General Industrial*. The GI district accommodates a range of manufacturing, assembling, fabrication and processing, bulk handling, storage, warehousing, trucking, and utility uses. The uses associated with this district may have significant off-site impacts such as heavy truck traffic, noise, and odors. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in limited areas planned for industrial uses within the Comprehensive Plan, at the Village's discretion. (Predecessor district: M1 Manufacturing and warehousing)
- (4) **Other Districts.**
- (a) N *Neighborhood*. The N district is intended to facilitate cohesive planned neighborhood developments that include desirable and innovative variations in the mix and relationship of uses, structures, and open spaces, consistent with proven principles of high-quality neighborhood design including traditional neighborhood design and conservation neighborhood design. Development within this district is served by public sanitary sewer and water services. See Article 14 for specifications. (Predecessor district: TND Traditional Neighborhood Development)

**Section 94.3.05: Allowable Uses in Non-Residential and Mixed Use Zoning Districts**

**Figure 3.05: Allowable Uses in Non-Residential and Mixed Use Zoning Districts**

P = Permitted Use		C = Conditional Use		T = Temporary Use			Empty Cell = Prohibited Use		
Land Use Category (#) Land Use Type		Zoning District (see key at end of figure)							
		INT	B-1	B-2	B-3	BP	LI	GI	
<b>Residential Land Uses</b> (see Section 94.4.02 for descriptions and standards for each land use)									
(1)	Single-Family Detached Residence								
(2)	Two-Family Residence		C						
(3)	Multi-Family Residence (3-8 unit building)		C			C	C	C	
(4)	Multi-Family Residence (9+ unit building)		C			C	C	C	
(5)	Manufactured Home Community								
(6)	Mixed Use Dwelling Unit		P	P	C				
<b>Agricultural Land Uses</b> (see Section 94.4.03 for descriptions and standards for each land use)									
(1)	Agricultural Use								
(2)	Agricultural-Related Use			C	P	C	P	P	
(3)	Community Garden	P	P	P	P	C	C	C	
(4)	On-site Agricultural Retail								
<b>Institutional and Recreational Land Uses</b> (see Section 94.4.04 for descriptions/standards for each use)									
(1)	Passive Outdoor Public Recreation	P	P	P	P	P	P	P	
(2)	Active Outdoor Public Recreation	P	C	P	P	P	P	P	
(3)	Indoor Institutional—General	P	P	P	P		C	C	
(4)	Indoor Institutional—Intensive	P	C	C	P				
(5)	Outdoor Institutional	P	C	C	C	C	C	C	
(6)	Public Service or Utility	P	P	P	P	P	P	P	
(7)	Institutional Residential	P	C	C	C	C	C	C	
(8)	Community Living Arrangement (1-8)		C						
(9)	Community Living Arrangement (9-15)		C	C		C			

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category		Zoning District (see key at end of figure)						
(#)	Land Use Type	INT	B-1	B-2	B-3	BP	LI	GI
(10)	Community Living Arrangement (16+)		C	C		C		
<b>Commercial Land Uses</b> (see Section 94.4.05 for descriptions and standards for each land use)								
(1)	Office	C	P	P	P	P	P	P
(2)	Personal or Professional Service		P	P	P	P	P	P
(3)	Artisan Studio		P	P	P	C	C	
(4)	Group Day Care Center	P	P	P	P	C	C	
(5)	Indoor Sales or Service		P	P	P	C	C	
(6)	Outdoor Display		C	C	P		C	C
(7)	Indoor Repair and Maintenance			P	P		P	P
(8)	Outdoor and Vehicle Repair and Maintenance			C	P		P	P
(9)	Drive-In or Drive-Through Sales or Service		C	P	P	C	C	C
(10)	Indoor Commercial Entertainment		C	P	P	P	C	C
(11)	Outdoor Commercial Entertainment		C	C	C			
(12)	Commercial Animal Establishment				P			
(13)	Bed and Breakfast		C	C				
(14)	Boarding House			C				
(15)	Campground	C						
(16)	Commercial Indoor Lodging		C	P	P	P		
(17)	Tourist Rooming House		C					
(18)	Adult Entertainment or Adult-Oriented Establishment							C
(19)	Large Retail and Commercial Service Development			C	C			
(20)	Microbeverage Production Facility		C	P	P	C	P	P

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category		Zoning District (see key at end of figure)						
(#)	Land Use Type	INT	B-1	B-2	B-3	BP	LI	GI
<b>Storage or Disposal Land Uses</b> (see Section 94.4.06 for descriptions and standards for each land use)								
(1)	Indoor Storage or Wholesaling				C	C	P	P
(2)	Outdoor Storage or Wholesaling	C			C		C	P
(3)	Personal Storage Facility				C		C	C
(4)	Junkyard or Salvage Yard							C
(5)	Solid Waste Disposal, Composting, and/or Recycling Facility	C					C	C
(6)	Auction Yard				C		C	C
<b>Transportation Land Uses</b> (see Section 94.4.07 for descriptions and standards for each land use)								
(1)	Off-Site Parking	C	C	C	C	C	C	C
(2)	Airport or Heliport	C					C	C
(3)	Freight Terminal						C	P
(4)	Distribution Center						C	P
(5)	Livestock or Farm Commodity Trucking						C	P
<b>Industrial Land Uses</b> (see Section 94.4.08 for descriptions and standards for each land use)								
(1)	Light Industrial				C	C	P	P
(2)	Heavy Industrial						C	P
(3)	Communications Tower	C	C	C	P	C	P	P
(4)	Non-Metallic Mineral Extraction							C
<b>Accessory and Miscellaneous Land Uses</b> (see Section 94.4.09 for descriptions/standards for each use)								
(1)	Detached Accessory Structure (For Non-Residential Use)	P	P	P	P	P	P	P
(2)	Detached Accessory Structure (For Residential Use)		P					
(3)	Family Day Care Home (4-8 children)		P	P				
(4)	Intermediate Day Care Home (9-15 children)							
(5)	Home Occupation		C					
(6)	Residential Business		C					

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category (#) Land Use Type		Zoning District (see key at end of figure)						
		INT	B-1	B-2	B-3	BP	LI	GI
(7)	In-Home Suite							
(8)	Accessory Dwelling Unit		C	C	C			
(9)	Animal Fancier		C	C				
(10)	Keeping of Farm Animals on Residential Lots							
(11)	Company Cafeteria	P	P	P	P	P	P	P
(12)	Company Provided On- site Recreation or Child Care	P	P	P	P	P	P	P
(13)	Indoor Sales Incidental to Storage or Light Industrial Land Use				P	P	P	P
(14)	Light Industrial Activities Incidental to Indoor Sales or Services				C	C	C	
(15)	Outdoor Display Incidental to Indoor Sales or Services			P	P	C	C	
(16)	Outdoor Alcohol Area	C	C	C	C	C		
(17)	Small Exterior Communication Device	P	P	P	P	P	P	P
(18)	Large Exterior Communication Device	C	C	P	P	P	P	P
(19)	Geothermal Energy System (GES)	P	P	P	P	P	P	P
(20)	Small Wind Energy System	P	P	P	P	P	P	P
(21)	Small Solar Energy System	P	P	P	P	P	P	P
(22)	Outdoor Solid Fuel Furnace				C		P	P
(23)	Private Lake (Pond)	P	P	P	P	P	P	P
(24)	Vehicle Course or Track	C	C	C	C			
(25)	Donation Drop-Off Box or Vending Machine	P	P	P	P	C	P	P

**Performance Standards:**

1. Except as provided in subsections 3. and 4. below, no Community Living Arrangement shall be established within 2,500 feet of any other such facility regardless of its capacity unless the Plan Commission and Village Board agree to a reduction in spacing. Two community living arrangements may be adjacent if the Village authorizes that arrangement and if both facilities comprise essential components of a single program.
2. Except as provided in subsection 3 below, the total combined capacity of all Community Living Arrangements (of all capacities) in the Village shall not exceed one percent of the combined population of the Village (unless specifically authorized by the Village Board following a public hearing). The applicant shall be responsible for providing information on the total, combined capacity of all Community Living Arrangements within the Village and its Extraterritorial Zoning Area.
3. A foster home that is the primary domicile of a foster parent and that is licensed under Wis. Stat. § 48.62, or an adult family home certified under Wis. Stat. § 50.032 (1m)(b) shall be a permitted use in all residentially zoned areas and are not subject to subsections 1. and 2. above except that foster homes operated by corporations, child welfare agencies, churches, associations, or public agencies shall be subject to subsections 1 and 2.
4. No adult family home described in Wis. Stat. §50.01(1)(b) may be established within 2,500 feet, or any lesser distance established by an ordinance of the Village, of any other adult family home described in Wis. Stat. §50.01(1)(b), or any Community Living Arrangement. An agent of an adult family home described in Wis. Stat. §50.01(1)(b) may apply for an exception to this requirement, and the exception may be granted at the discretion of the Village.
5. There shall be no maximum to the number of Community Living Arrangement facilities, except as other performance standards may indirectly establish a limit.
6. Minimum Required Off-Street Parking: three spaces, plus one space for every three residents over eight residents (except for those residents under 16 years of age and otherwise without the ability to drive).

**Section 94.4.05: Commercial Land Use Types**

(1) **Office.**

Includes all exclusively indoor land uses whose primary functions are the handling of information, administrative services, or both, generally with little direct service to customers on-site. Office uses that are accessory to a principal residential use of a property are not considered “Office” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(2) **Personal or Professional Service.**

Exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples include professional services, banks, insurance or financial services, realty offices, medical offices and clinics, veterinary clinics, barber shops, and beauty shops. Service uses that are accessory to a principal residential use of a property are not considered “Personal or Professional Service” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(3) **Artisan Studio.**

A building or portion thereof used for the preparation, display, and sale of individually crafted artwork, photography, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven sections, and related items, and occupied by no more than five artists or artisans. Uses occupied by more than five artists or artisans shall be considered a “Light Industrial” use under Section 94.4.08(1). Studios that are accessory to a principal residential use of a property are not considered “Artisan Studio” uses, but are instead regulated as home occupations under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(4) **Group Day Care Center.**

A land use in which licensed persons and facilities provide child care services for nine or more children, such as day care centers, pre-schools, and nursery schools. Such land uses may be operated as a stand-alone use, or in conjunction with another principal land use on the same site such as a church, primary school, business, or civic organization. Any child care facility located on the same site as a principal land use, and that is reserved solely for the use of company employees and their guests on the same site, are instead regulated as a “Company Provided On-Site Recreation or Child Care” accessory use.

**Performance Standards:**

1. No Group Day Care Center shall be located within a building that is also occupied as a residence.
2. Minimum Required Off-Street Parking: one space per five students, plus one space for each employee on the largest work shift.

(5) **Indoor Sales or Service.**

Includes all land uses, except as otherwise separately listed in this Section, that conduct or display sales or rental merchandise or equipment, or that conduct non-personal or non-professional services, entirely within an enclosed building. This includes a wide variety of retail stores and commercial service uses not otherwise listed in this Chapter, along with self-service facilities such as coin-operated laundromats. Includes uses like retail bakeries and delis where the consumption of products typically occurs off-site, but does not include restaurants, which are instead classified as “Indoor Commercial Entertainment” uses. Display of products outside of an enclosed building shall be considered an “Outdoor Display Incidental to Indoor Sales” accessory use, or, if outdoor sales exceed 15 percent of the total sales area of the building(s) on the property, an “Outdoor Display” principal land use. Sales or service uses that are accessory to a principal residential use of a property are not considered “Indoor Sales or Service” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter. Does not include any “Commercial Animal Establishment” use.

**Performance Standards:**

1. Use may also be subject to conditional use permit requirements and adherence to performance, building design, and site design standards in Section 94.10.06 if classified as a “Large Retail and Commercial Service Development” under Section 94.10.04. However, following initial conditional use permit approval, individual “Indoor Sales or Service” uses may occupy the constructed spaces without the need for a further conditional use permit.
2. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

**(6) Outdoor Display.**

Includes all land uses, except as otherwise separately listed in this Article, that conduct sales or display sales or rental merchandise or equipment outside of an enclosed building. Examples include outdoor vehicle sales, outdoor vehicle rental, manufactured home sales, and monument sales. Such land uses do not include the storage or display of inoperative vehicles or equipment, or other materials typically associated with a “Junkyard or Salvage Yard” use. If an area less than 15 percent of the total sales area of the building(s) on the property is used for display of products outside of an enclosed building, such use shall instead be considered an “Outdoor Display Incidental to Indoor Sales” accessory use.

**Performance Standards:**

1. The display of items shall not be permitted in required landscaped areas, required bufferyards, or required setback areas for the principal structure.
2. Display areas shall be separated from any circulation area by a minimum of 10 feet, which shall be clearly delimited.
3. Items being displayed shall not interfere with motor vehicle, pedestrian, and bicycle traffic visibility.
4. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
5. The display of items outdoors shall be permitted during the entire calendar year; however, if items are removed from the display area, all support fixtures used to display the items shall be removed.
6. There must be a principal building on the same lot as the Outdoor Display land use, which serving as an essential component of that use, such as a sales office, indoor showroom, and/or storage facility. Such building shall be attached to a permanent foundation, and if erected or expanded after March 18, 2015, shall meet building design standards in Section 94.10.03.
7. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area. In no event shall the display of items reduce or inhibit the use or number of parking stalls provided on the property below what is required in this Section. If the number of provided parking stalls on the property is already less than the requirement, such display area shall not further reduce the number of parking stalls already present.

**(7) Indoor Repair and Maintenance.**

Includes all land uses, except as separately listed, that perform repair and maintenance services for consumer products and contain all operations (except loading) entirely within an enclosed building, including electronics, mechanical, and small engine repair service businesses. Because of outdoor vehicle storage requirements, all vehicle repair and maintenance uses shall instead be regulated as “Outdoor and Vehicle Repair and Maintenance” uses.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

**(8) Outdoor and Vehicle Repair and Maintenance.**

Includes all land uses, except those that are separately listed in this Section, that perform maintenance services (including repair) and have all, or any portion (beyond simply loading) of their operations located outside of an enclosed building. Also includes all businesses that repair or maintain motor vehicles designed for road use and brought in from off-site.

**Performance Standards:**

1. All outdoor activity areas shall be completely enclosed by an opaque fence, wall, or building section for each Outdoor and Vehicle Repair and Maintenance use no later than January 1, 2017. Such enclosure shall be located a minimum of 50 feet from any residentially zoned property.
2. Outdoor storage of vehicle parts and abandoned, unlicensed, and inoperable vehicles is prohibited, except that each inoperable vehicle being serviced may be kept outdoors for a period not exceeding 30 days.
3. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
4. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area, or one space per each employee on the largest shift, whichever is less.

**(9) Drive-Through and Drive-In Sales or Service.**

Includes all land uses that perform sales and/or services to persons in vehicles, or to vehicles that may or may not be occupied at the time of such activity (except “Outdoor and Vehicle Repair and Maintenance” land uses, which are separately listed and regulated). Such uses often have traffic volumes that exhibit their highest levels concurrent with peak traffic flows on adjacent roads. Examples include drive-in, drive-up, and drive-through facilities in conjunction with another principal use (like a bank or restaurant), vehicular fuel stations, and car washes.

**Performance Standards:**

1. There shall be stacking space for at least five vehicles behind each drive-through order station, at least two vehicles between each order station and the first pass-through window, and at least two spaces beyond the last pass-through window for post-order pick-up.
2. The drive-through facility shall be designed so as to not impede or impair loading, vehicular movement, and pedestrian movement, or exacerbate the potential for conflicts with such activities.
3. Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access to the facility adjacent to drive-through lane(s).
4. All vehicular areas shall have a hard surface that is designed to meet the requirements of a minimum four ton axle load.
5. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
6. Vertical concrete curbs shall be used to separate driving areas from exterior fixtures such as fuel pumps, vacuums, menu boards, canopy supports, and landscaped islands.
7. Any land use that conducts sales from a vehicle such as a food truck or trailer, or from any other structure for an outdoor food or beverage vendor, that is in one place for more than 7 consecutive days is not classified as a “Drive-Through and Drive-In Sales or Service” use and is prohibited within the Village.
8. Minimum Require Off-Street Parking: Refer to the parking requirements of the other land uses on the site, such as “Indoor Sales and Service” land uses for a gas station/convenience store.

**(10) Indoor Commercial Entertainment.**

Includes all uses that provide entertainment services entirely within an enclosed building, or where outdoor entertainment facilities are present, the land area of such facilities is not greater than 15 percent of the gross floor area indoors. Indoor Commercial Entertainment uses often have operating hours that extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, brewpubs, taverns, theaters, health or fitness centers, other indoor private

recreation centers, training studios (dance, art, martial arts, etc.), bowling alleys, arcades, roller rinks, indoor shooting ranges, and pool halls. Does not include any “Microbeverage Production Facility” or “Adult Entertainment or Adult-Oriented Establishment,” which instead are listed and regulated separately. Does not include permanent or seasonal dining establishments in which products are grown and served on the same farm, which are instead regulated as “On-site Agricultural Retail” uses.

**Performance Standards:**

1. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
2. Where the limited outdoor space allowed for Indoor Commercial Entertainment uses allows for the service or consumption of alcohol, the use requires a conditional use permit and is subject to the performance standards associated with an “Outdoor Alcohol Area” in Section 94.4.09(17).
3. Air domes may be allowed to house all or part of the indoor commercial entertainment use by conditional use permit.
4. Minimum Required Off-Street Parking: one space per every three patron seats, or the maximum capacity of the establishment (whichever is greater).

**(11) Outdoor Commercial Entertainment.**

Includes all principal uses that provide entertainment services partially or wholly outside of an enclosed building. Such activities often have the potential to be associated with nuisances related to noise, lighting, dust, trash, and late operating hours. Examples include outdoor commercial swimming pools, health or fitness centers where the area of outdoor facilities is greater than 15 percent of the gross floor area indoors, driving ranges, miniature golf facilities, amusement parks, drive-in theaters, go-cart tracks, racetracks, trap clubs, and shooting ranges. Does not include any golf course or “Adult Entertainment or Adult-oriented Establishment,” which instead are listed and regulated separately.

**Performance Standards:**

1. A bufferyard meeting the requirements of Section 94.11.02(3)(d) shall be provided along all property borders abutting residentially zoned property.
2. Activity areas (including movie screens) shall not be visible from any residentially zoned property.
3. Shall at all times meet the noise standards in Section 94.12.13.
4. Where the limited outdoor space allowed for Indoor Commercial Entertainment uses allows for the service or consumption of alcohol, the use shall require a conditional use permit be subject to the performance standards associated with an “Outdoor Alcohol Area” in Section 94.4.09(17).
5. The keeping of horses and other non-domesticated animals may be permitted where accessory and integral to the principal use, where “Agricultural Use” standards in Section 94.4.03(1) related to the keeping of farm animals are met, and where other chapters including Chapter 10 of the Code are met.
6. Minimum Required Off-Street Parking: one space for every three persons at the maximum capacity of the establishment.

**(12) Commercial Animal Establishment.**

Includes uses that provide for the care, treatment, grooming, and/or boarding of animals as a principal use of the property. Examples include commercial stables, pet shops, grooming shops, boarding kennels, animal shelters, and veterinary facilities. A boarding kennel is a facility where dogs, cats, horses, or other animals are kept for 24 hours or more for boarding, training or similar purposes

A food service operation that provides food only to company employees and their guests, meets state food service requirements, and is located on the same property as a principal land use engaged in an operation other than food service.

**(12) Company Provided On-Site Recreation or Child Care.**

Any recreational or child care facility located on the same site as a principal land use, and that is reserved solely for the use of company employees and their occasional guests, and licensed as may be required by the State.

**(13) Indoor Sales Incidental to Storage or Light Industrial Land Use.**

Includes any retail sales activity conducted exclusively indoors that is incidental to a principal land use such as warehousing, wholesaling, or any “Light Industrial” land use on the same site.

**Performance Standards:**

1. The total gross floor area devoted to sales activity shall not exceed 25 percent of the total gross floor area of the buildings on the property. Areas devoted to uses such as custom ceramics, glass, wood, paper, fabric, and similar crafts may exceed 5,000 square feet with the granting of a conditional use permit.
2. The indoor sales area shall be physically separated by a wall from other activity areas.
3. Parking requirement: Adequate parking, per the requirements for “Indoor Sales or Service” land uses, shall be provided for customers. Said parking shall be in addition to that required for the “Light Industrial” or other uses on the lot.

**(14) Light Industrial Activities Incidental to Indoor Sales or Services.**

Any “Light Industrial” use conducted exclusively indoors that is incidental to another principal land use such as “Indoor Sales or Service” land use on the same site.

**Performance Standards:**

1. Must be conducted exclusively indoors and with doors and windows to the building closed.
2. Floor area devoted to light industrial activities must not exceed 20 percent of the total floor area of the buildings in the property, or 5,000 square feet, whichever is less.
3. Must be physically separated by a wall from other activity areas that are available for public access.
4. Must not generate any noise, odor, or vibration at any property line.
5. May only operate between the hours of 7 a.m. and 6 p.m., Monday through Friday.

**(15) Outdoor Display Incidental to Indoor Sales or Service.**

Any “Outdoor Display” use as defined in Section (d)(6) of this Section that does not exceed 15 percent of the total sales area of the principal building on the site, or 15 percent of the Gross Floor Area of the principal use(s) with which it is associated, whichever is less.

**Performance Standards:**

1. Shall comply with all conditions applicable to a principal “Outdoor Display” principal use.

**(16) Outdoor Alcohol Area.**

Outdoor Alcohol Areas are those that serve or allow for the consumption of alcohol outside of the principal structure, generally associated with an approved “Indoor Commercial Entertainment” use such as a restaurant, tavern, bar, and/or live music venue, but possibly also certain “Indoor Institutional” uses and other land uses. Examples of Outdoor Alcohol Areas include, but are not

**Figure 5.02(1): Non-residential District Density and Intensity Standards**

Zoning District	Minimum Lot Area (sf)	Minimum Lot Width (ft)	Minimum Public Street Lot Frontage (ft)	Minimum Landscape Surface Ratio (LSR)	Max Floor Area Ratio (FAR) (a)
INT Institutional	30,000	80	40	20%	0.5
B-1 Neighborhood Business	20,000	80	40	20%	0.5
B-2 Highway Business	30,000	80	40	20%	1.0
<b>B-3 General Business</b>	<b>30,000</b>	<b>80</b>	<b>40</b>	<b>20%</b>	<b>0.5</b>
BP Business Park	40,000	100	50	20%	1.5
LI Light Industrial	30,000	80	40	15%	0.5
GI General Industrial	40,000	100	50	10%	1.0
(a) Does not include structured parking or underground parking.					

**Figure 5.02(2): Non-residential District Setback and Height Standards**

Zoning District	Minimum Setbacks (ft) (b)						Minimum Principal Building Separation (ft)	Maximum Building Height (stories/ft, whichever is greater)	
	Principal Building to Front and Street Side Lot Lines (a)	Principal Building to Interior Side Lot Line	Principal Building to Rear Lot Line	Accessory Building to Interior Side/Rear Lot Line (a) (d)	Hard or Gravel Surface (c) Front or Street Side / Interior Side or Rear			Principal Buildings	Accessory Buildings
<b>INT Institutional</b>	20	8	20	3	15	10	10	3/45	1/20
<b>B-1 Neighborhood Business</b>	10	6	10	3	10	5	10	3/45	1/20
<b>B-2 Highway Business</b>	30	12	20	6	15	10	10	3/45	1/20
<b>B-3 General Business</b>	30	12	20	6	15	10	10	3/45	1/20
<b>BP Business Park</b>	30	12	20	10	15	10	10	4/60	1/20
<b>LI Light Industrial</b>	30	12	20	10	10	5	10	2/30	1/20
<b>GI General Industrial</b>	40	15	30	10	10	5	10	4/60	2/35

(a) See Section 94.4.09(1) for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory structures, and other standards associated with detached accessory structures.

(b) Additional setbacks may be required along zoning district boundaries for bufferyards, if required for a particular land use in Article 4 or Section 94.11.02(3)(d).

(c) Includes all gravel and hard surfaces as defined in Section 94.17.04. This setback excludes intrusions required for driveway entrances and permitted or required for cross access driveways and pedestrian ways; shared driveways; and shared parking lots.

(d) Front and street side yard setbacks for accessory structures as the same as the minimum front and street side setback for the principal structure.

**Village of Weston, Wisconsin  
AGENDA ITEM COVERSHEET  
Requested for Official Consideration and Review**

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REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

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ITEM DESCRIPTION: **DISCUSSION AND REVIEW OF DRAFT COMPREHENSIVE PLAN CHAPTER 2 COMMUNITY VISION.**

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DATE/MTG: **PLAN COMMISSION; MONDAY, APRIL 11, 2016**

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POLICY QUESTION: Does the Draft Chapter 2 *Community Vision* Plan document, and specifically the 3 *Priority Initiatives* outlined in the Draft Plan and Figure 2 *Our Vision and Principles*, properly illustrate the direction this Commission & the Village should take in the future?

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RECOMMENDATION TO: To direct staff to schedule Chapter 2 for the final approval process.

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LEGISLATIVE ACTION:

- |                                                         |                                    |                                       |
|---------------------------------------------------------|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order           | <input type="checkbox"/> Policy    | <input type="checkbox"/> Reports      |
| <input type="checkbox"/> Expenditure                    | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution   |
- 

FISCAL IMPACT ANALYSIS:

- Budget Line Item: \_\_\_\_\_
- Budget Line Item: \_\_\_\_\_
- Budgeted Expenditure: \_\_\_\_\_
- Budgeted Revenue: \_\_\_\_\_
- 

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statute: §66.1001, 62.23
- WI Administrative Code: \_\_\_\_\_
- Case Law / Legal: \_\_\_\_\_
- Municipal Code: \_\_\_\_\_
- Municipal Rules: \_\_\_\_\_
- 

PRIOR REVIEW: August 10, 2015 Plan Commission Meeting.

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BACKGROUND:

In 2013, the Village began a 3 year planning process with consultant MDROffers to completely update our current Comprehensive Plan (adopted 2006) within the 10 year Comprehensive Planning Statute deadline. To date, the Village has approved updated Chapters on current Conditions and Issues, Land Use, Broadband and Parks & Recreation. This is the second draft of this document that the Plan Commission and Village Board have received. The first draft was reviewed back in August 2015. All staff, commission and Board comments previously received have been incorporated into the document. Please review the document one last time. At the meeting on Monday, we will go over the Plan document and also take any comments/corrections/additions members have to date.

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## Chapter 2: Community Vision

- Explore Weston’s assets and opportunities
- Establish a basis for resident attachment
- Put forth a bold vision for Weston’s future
- Establish a framework for the chapters and initiatives that follow

The Village of Weston — It’s Right Here. In Weston, it’s time to welcome families, businesses, and sustainable new growth to the right kind of place in central Wisconsin. Weston’s assets and opportunities include superior transportation access, recreational offerings, quality schools, available land base, business mix including health care, and a growing population. The Village will grow resident attachment by being open and transparent, advancing social offerings, and improving its look and feel.

### Priority “Community Vision” Initiatives



<b>Initiative</b> <small>(Follow links for further details)</small>	<b>Description</b>	<b>Funding</b>	<b>Responsibility</b>
<a href="#"><u>Capitalize on Weston’s Assets and Opportunities</u></a>	To be successful in a competitive environment with limited resources, the Village must recognize unique community assets and take advantage of its opportunities. This often will be done in concert with like interests including other regional communities and area businesses.	These three initiatives will be carried out through the more detailed initiatives described in subsequent chapters of this volume, each with its own particular funding need and source.	The Village Board will direct the Village Administrator and Planning and Development Department to articulate, communicate, and implement the general initiatives laid out in this Community Vision chapter.
<a href="#"><u>Grow Resident Attachment to Weston</u></a>	Research suggests that three community qualities are central for establishing and growing a sense of attachment among residents: 1) social offerings, 2) openness, and 3) aesthetics. Through the various policies and initiatives in this volume of the Plan, the Village will advance these qualities.		
<a href="#"><u>Advance a Compelling Vision for Weston’s Future</u></a>	The Village’s vision statement is an inspirational view of Weston and its future. The vision is coupled with broad goals, which form the basis for remaining chapters of this volume and provide a tool for evaluation of the community’s future performance against the Comprehensive Plan.		

## 2.1. Purpose

To be successful, this Comprehensive Plan and Vision and Directions volume must have a point. Broadly speaking, that point should focus on providing what Weston residents value—what attracts them to this community and what will compel them to stay and enjoy their lives here.

Through this chapter, the Village explores its future opportunities and puts forth a clear and compelling vision for its future. This chapter is a framework for future decision making and sets the context for the rest of Volume 2 of the Village’s Comprehensive Plan. It is intentionally broad, leaving the other chapters to describe initiatives and detailed policies to carry out the vision in this chapter. The final chapter, Implementation, summarizes and prioritizes these initiatives and provides qualitative links back to the vision laid out in this Chapter 2.

This Community Vision chapter meets the “Issues and Opportunities” element requirement within Wisconsin Statutes, once combined with information in the accompanying Conditions and Issues volume of the Comprehensive Plan. The Conditions and Issues volume includes a comprehensive examination of background data and trends.

## 2.2. Initiatives

The following pages further describe the broad, vision-based initiatives included on the cover page of this Chapter.

### 2.2.1. Capitalize on Weston’s Assets and Opportunities

Identifying the Village’s current assets and future opportunities is important to establishing a bold yet realistic vision and Comprehensive Plan.

Weston is an emerging community in the Wausau area. Weston’s context in the broader central Wisconsin region is represented in Map 1. Weston is well connected to the region and the Midwest through an extensive, modern freeway network. Its position relative to several other growing communities in Marathon County presents several opportunities for collaboration, as well as challenges including competition for limited tax base, shopping, employment, and residential growth.

Weston has a short history as a village, having incorporated from much of the Town of Weston in 1996. Since that time, the Village’s population has grown to over 15,000. The Village is now home to an expanding base of health care, manufacturing, commercial service, and retail businesses. The Highway 29 freeway, built in 1992 through Weston, crosses the Village and expands economic opportunities, particularly near the two Weston interchanges at [County](#) Highways X and J.



# Village of Weston Marathon County, WI

# 2-1

## Regional Context Map



Map Date: March 7, 2016

Created by Technology Services

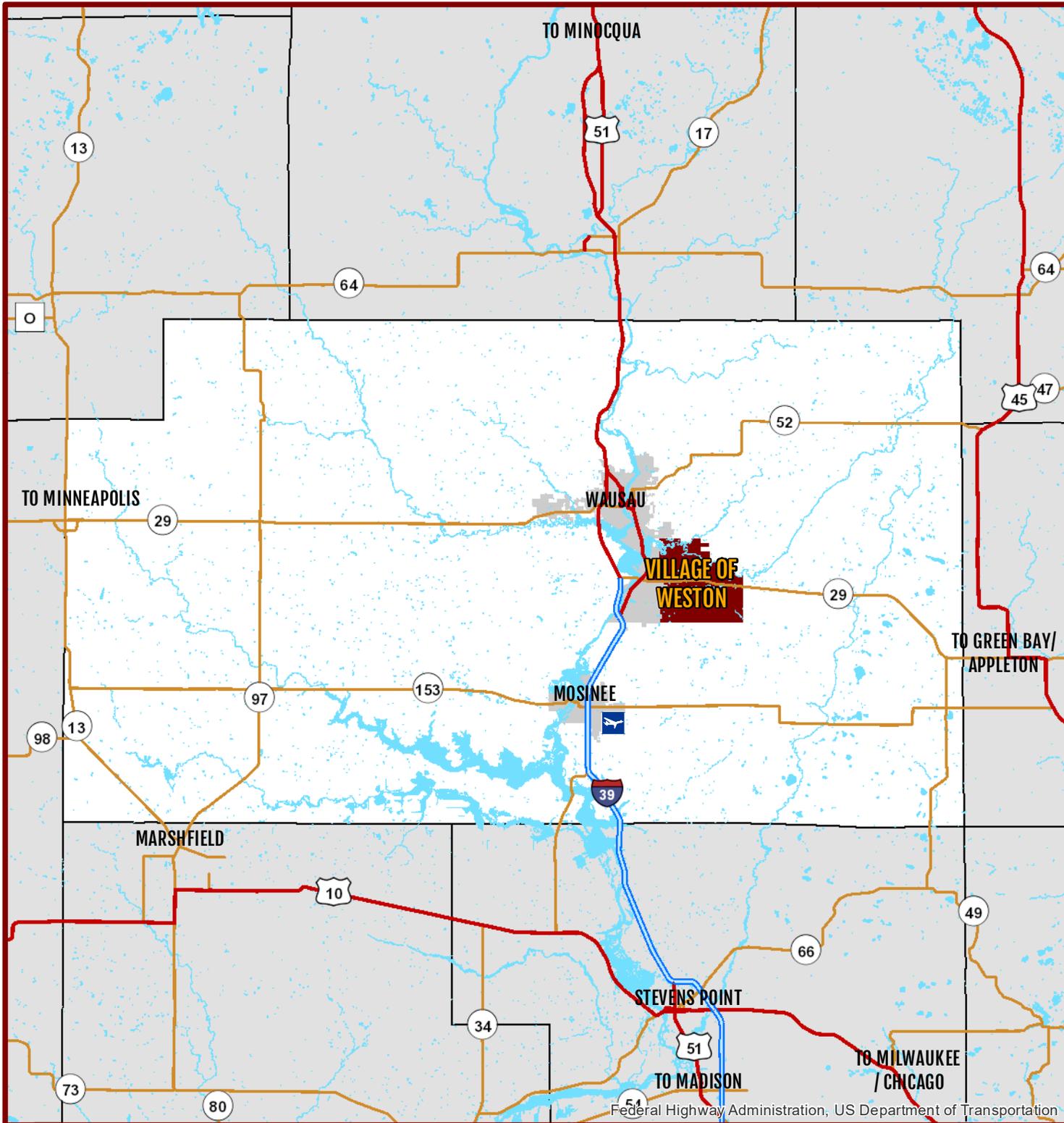


### Legend

- Village of Weston
- Central Wisconsin Airport (CWA)
- Marathon County
- Interstate
- US Highway
- State
- Surface Water

### Regional Destinations:

- To Chicago - 284 Miles
- To Minneapolis - 192 Miles
- To Milwaukee - 187 Miles
- To Madison - 141 Miles
- To Appleton - 92 Miles
- To Green Bay - 88 Miles
- To Minocqua - 76 Miles



Federal Highway Administration, US Department of Transportation

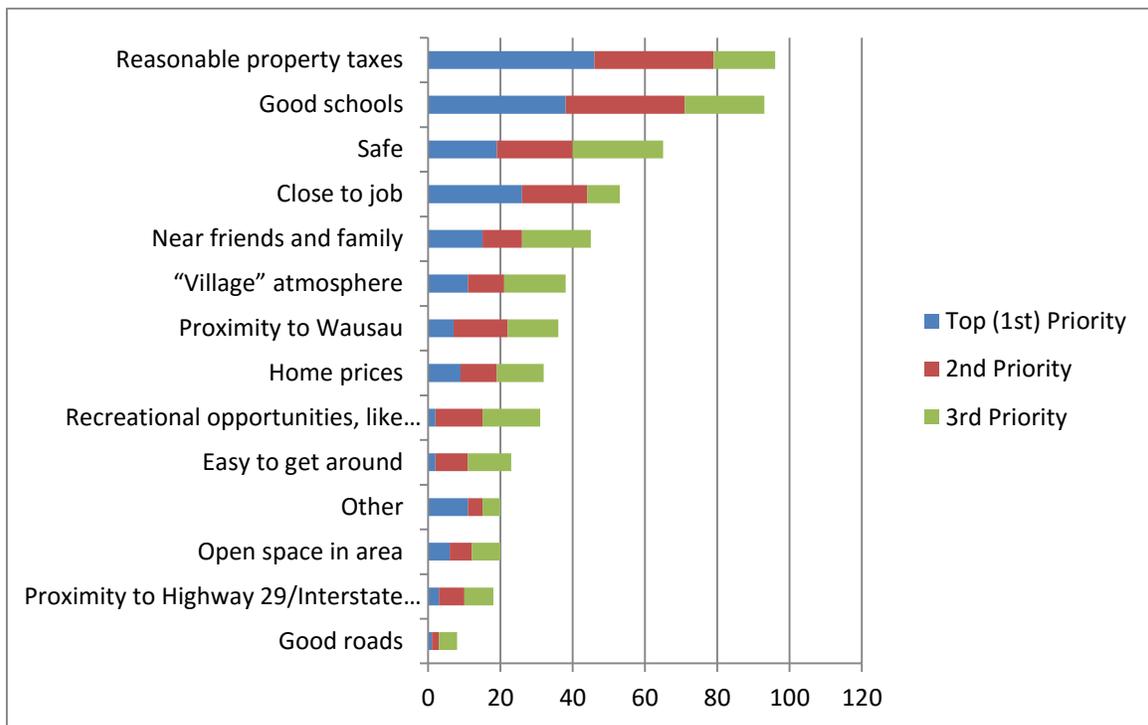
Weston’s community assets include its moderate taxes, good D.C. Everest schools within the Village limits, accessible location in central Wisconsin at the crossroads of two major highways, state of the art medical facilities, a diverse selection of recreational opportunities, open space and natural amenities, and a safe suburban atmosphere. The Village’s amenities and affordability has not gone unnoticed—NerdWallet, a consumer advocacy website, conducted a study to find the best places for homeownership in Wisconsin – and out of 85 communities, the Village of Weston ranked among the top 20 (see <http://www.nerdwallet.com/blog/cities/best-cities-homeownership-wisconsin/>).



St. Clare’s Hospital, the Weston Regional Medical Center, and other health care facilities are among the Village’s key assets

In a 2014 community survey, Weston residents were asked to provide the top three reasons why their family chooses to live here. Responses are provided in Figure 1.

**Figure 1: Top Reasons Why Families Choose to Live in Weston**



Source: Village of Weston community survey, 2014

Building on these assets, Weston has a number of opportunities to maintain and enhance the community over the next 10 to 20 years.

- **Weston has an opportunity to be a beacon of talent in central Wisconsin.** The safe, comfortable setting and proximity to education, jobs, shopping, and recreation will make it an attractive location for families and young professionals. The Village and community can work to fill remaining gaps in these systems and amenities.
- **Weston will continue to be a safe place to live and raise a family.** Efforts will include fostering interaction among neighbors, providing high quality protective and emergency services, and improving transportation safety, such as at key intersections.
- **Weston’s combination of internal market size and regional accessibility bodes well for additional commercial service and retail development.** This, coupled with vacant land area near Highway 29 and, in contrast, the shortage of land in other spots in the region, should lead to the growth of shopping opportunities in Weston.
- **Weston should be able to achieve reinvestment and redevelopment along heavily traveled roads that form its community image.** This includes Camp Phillips Road, where aging residential development can be replaced with modern commercial and mixed use redevelopment projects, and Schofield Avenue to its east, where investment in aging and under-utilized commercial, industrial, and storage properties is warranted.

- **Weston can take advantage of its natural and other assets, like the Eau Claire River and D.C. Everest School District, to grow recreation and increase social interaction.** This can and should be done in partnership with other governmental, non-profit, and business groups.



Community spirit at the D.C. Everest Homecoming Parade

Efforts will include enhancing spaces and activities for older teens, young adults, and families—such as new and enhanced athletic complexes, entertainment spaces, and land and water trails.

- **Weston’s health care cluster is a springboard for attracting similar and complementary facilities and businesses.** These include not only health care providers but also health care-related manufacturers and living and care facilities. At the same time, the Village will carefully weigh new elderly living proposals against service demands (e.g., EMS) and long-term use beyond the Baby Boom generation.
- **Weston will encourage the retention and attraction of technology-based businesses.** Efforts may include advancing high-speed internet access in all of its business parks and expanding access to area educational and training opportunities.

- **Weston will provide a setting conducive to investment.** This includes retaining and growing existing businesses, fostering a welcoming environment for new residents and businesses, and making sure regulations and incentives line up with these objectives.
- **Weston will grow in an environmentally sustainable manner.** This includes encouraging walkable and compact neighborhoods and business districts, running government operations in an energy-efficient and environmentally sensitive manner, and providing the community with sustainable choices like single stream recycling.

### 2.2.2. Grow Resident Attachment to Weston

Research shows that residents who are attached to a community tend to stay and invest there. For both businesses and residents, satisfaction and retention is key to community health and growth.

This Plan is, in part, a strategy to increase resident attraction to Weston. Ideas and efforts are included throughout the remainder of this volume, and highlighted with the following symbols:

-  **Social Offerings.** This symbol will be used to highlight particular policies and initiatives aimed towards the maintenance, improvement, or establishment of a social offering to Village residents, business leaders, employees, and visitors.
-  **Openness.** This second symbol will be used to highlight policies and recommendations that emphasize openness in government and the community, and promote a welcoming place for people and businesses to live and invest.
-  **Aesthetics.** This third symbol appears where a policy or initiative is directed, at least in part, to improving the appearance, visual image, beauty, and open spaces in the Village.

#### Factors Influencing Resident Attachment

What makes a community a desirable place to live? What draws people to stake their future in it? What will encourage our youth to stay, or at least return with their families later?

Gallup and the John S. and James L. Knight Foundation launched the Knight [Soul of the Community](#) project in 2008 with these questions in mind. After interviewing close to 43,000 people in 26 communities over three years, the study found three main qualities that attach people to place:

- Social offerings, such as entertainment venues and places to meet.
- Openness; in other words, how welcoming a place is.
- The area's aesthetics, including its physical beauty and green spaces.

Source: Knight Foundation

### **2.2.3. Advance a Compelling Vision for Weston's Future**

The author Lewis Carroll wrote: "If you don't know where you are going, any road will take you there." By extension, if a community does not have a sense of which direction it wants to take, the plan-making and implementation process is at best difficult and at worst meaningless and highly inefficient. Therefore, as an early part of the Plan and plan-making process, the Village established a vision statement, which should be understood as:

- A presentation of how the Village wishes to look, feel, and be perceived.
- An inspirational and positive view of Weston and its future that allows the community to "stretch" and explore its opportunities.
- A platform for the Village to take advantage of its assets and opportunities.
- A broad framework around which to build more detailed strategies and initiatives, including those in this volume of the Comprehensive Plan.

Weston's vision statement is presented and illustrated in Figure 2. The vision statement is elaborated through a set of goals, which form the basis for the organization of the remainder of this volume and a tool for evaluation of community performance. Weston's vision and goals should be widely disseminated, understood, and accepted.

# FIGURE 2: OUR VISION AND PRINCIPLES

**LAND USE:** Weston will promote sustainable new development and redevelopment that add jobs, products, services, and homes, and that contribute to a sense of community and quality of life in the Village.

**ECONOMIC DEVELOPMENT:** Weston will support business retention and development that adds jobs, products, services, and value to the Village to maintain our affordable tax rate and enhance our vitality.

**HOUSING AND NEIGHBORHOODS:** Weston will accommodate quality and affordable housing choices and attractive neighborhoods that support families, older residents, and our local workforce and contribute to a welcoming and interactive community.

**NATURAL, AGRICULTURAL, AND CULTURAL RESOURCES:** Weston will protect, enhance, and celebrate natural amenities such as the riverway and wetlands, and will grow its sense of place through a network of attractive spaces, buildings, and activities.

**PARKS AND RECREATION:** Weston will provide, maintain, and collaborate on trails, parks, playgrounds, and open spaces that encourage an active, engaged, and healthy community.

**COMMUNITY FACILITIES AND UTILITIES:** Weston will provide and support community facilities, utilities, and broadband communications that are cost-effective, efficient, support resident connections, maintain reasonable tax rates, and protect natural resources.

**TRANSPORTATION:** Weston will work with other units of government to develop and maintain a safe, efficient, and interconnected transportation network serving motorists, businesses, pedestrians, and bicyclists.

**INTERGOVERNMENTAL COOPERATION:** Weston will collaborate with neighboring and overlapping governments to achieve common goals, deliver efficient services, share resources, educate residents, and avoid conflicts.



**IN WESTON, IT'S TIME TO WELCOME FAMILIES, BUSINESSES, AND SUSTAINABLE NEW GROWTH TO THE RIGHT KIND OF PLACE IN CENTRAL WISCONSIN.**



**Village of Weston, Wisconsin**  
**Report for the month of March 2016**  
**MONTHLY DEPARTMENT REPORT FROM PLANNING AND DEVELOPMENT DIRECTOR**

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**Monthly Department Briefer #2016-03**

**Jennifer Higgins, Planning and Development Director/Zoning Administrator**

**Friday, April 8, 2016, 10:56 AM**

**1. FOR YOUR IMMEDIATE ATTENTION -- TRUSTEES.**

- Home Composting Workshop, Saturday, April 30<sup>th</sup> from 10:30 to Noon at Municipal Center (Hosted by the Village of Weston, Presented by Marathon County Solid Waste & Recycling Connections Corporation).
- 2015 Responsible Unit Recycling Program Accomplishments and Actual Costs Annual Report – Due to State by April 30, 2016
- Southeast Quadrant Presentation 4:30-5pm, Monday, May 9<sup>th</sup>.
- Southeast Quadrant Public Engagement Session and Open House 5-6pm, Monday, May 9<sup>th</sup>.
- Marathon County Uniform Addressing System – Municipal Advisory Group will meet May 12<sup>th</sup> and June 9<sup>th</sup> from 7-9pm in Room 5, 212 River Drive, Wausau.

**2. STRATEGIC PLAN PROJECT STATUS.**

As reported to you previously, myself, Donner, Wodalski and Osterbrink have been meeting under the umbrella of the Services Division to coordinate projects in the 3 Departments, such as the SE Quad, Comp Plan Update, Subdivision Ordinance, Business Park signage and site plan review procedures. This team meets every other week to focus on key areas and projects that integrate the 3 departments and our staff.

**Department Development**

- **Project 1 - Comprehensive Plan Update – In progress.**
  - **Volume 1 – Conditions and Issues** (adopted 3/4/15) – Amend in 2016 to correct any incorrect information from 2015 adopted version. Also consider relocating “Broadband Technology” background information to Volume 3.
  - **Volume 2 – Visions and Directions** (Statutory Plan Elements) – Scheduled for adoption Spring 2016
    - **Chapter 1 – introduction** – draft #1 received from MDROffers on March 23, 2016
    - **Chapter 2 – Community Vision** – draft #1 forwarded to the PC and Board for comments in Fall 2015; Draft #2 received March 30, 2016 and has been placed on 4/11/16 Plan Commission Agenda for final review.
    - **Chapter 3 – Land Use** (adopted 4/8/15) plan to be amended as necessary as part of complete Volume 2
    - **Chapter 4 – Economic Development** – revised draft received from MDROffers on 3/23/16.
    - **Chapter 5 – Housing and Neighborhoods** – (revised draft delivered by MDROffers on 1/28/16)- Provided to PC and Board in 2/8/16 PC Packet. Comments/changes were sent back to MDROffers in Feb 2016. Next version in full Volume 2, to be delivered in April.

- **Chapter 6 – Natural, Agricultural, and Cultural Resources** - (revised draft delivered by MDROffers on 1/28/16) -Provided to PC and Board in 2/8/16 PC Packet. Comments/changes were sent back to MDROffers in Feb 2016. Next version in full Volume 2.
  - **Chapter 7 – Parks and Recreation** - (adopted 1/10/15 as CORP for Village) plan to be amended as necessary as part of complete volume
  - **Chapter 8 – Transportation (Official Map)** (revised draft delivered by MDROffers on 1/28/16) - Provided to PC and Board in 2/8/16 PC Packet. Official map was approved in Feb 2016 by ordinance. Comments and changes to the Plan document and the new official map were sent to MDROffers in Feb 2016. Next version in full Volume 2.
  - **Chapter 9 –Community Facilities and Utilities** (revised draft delivered by MDROffers on 2/11/16) -Provided to PC and Board in 3/14/16 PC Packet. Comments and changes to the Plan document were sent to MDROffers in March 2016. Next version in full Volume 2.
  - **Chapter 10 – Intergovernmental Cooperation** – (revised draft delivered by MDROffers on 2/11/16) -Provided to PC and Board in 3/14/16 PC Packet. Comments and changes to the Plan document were sent to MDROffers in March 2016. Next version in full Volume 2.
  - **Chapter 11 – Implementation** – draft #1 received from MDROffers on March 23, 2016
- **Volume 3 – Vision and Directions** (Supplemental Plan Elements)
    - **Chapter 1 – Introduction** (to be prepared in 2016 when Camp Phillips Corridor Plan adopted)
    - **Chapter 2 – Bike and Pedestrian System Plan** (future, post 2016)
    - **Chapter 3 – Broadband Technology Plan** (adopted 3/4/15, considering bringing in background info from Vol. 1)
    - **Chapter 4 – Camp Phillips Corridor Plan** (schedule for adoption in July 2016, shortly after Vol. 2 adoption)
    - **Chapter 5 – Park and Public Facilities Master Plans** (include recent plans when Camp Phillips Plan adopted)
    - **Chapter 6 – Retail Recruitment Strategy** (adopt at same time Camp Phillips Plan Adopted)
    - **Chapter 7 – Schofield Avenue Corridor Plan** (future, post 2016)
    - **Chapter 8 – TID 1 Amended Project and Redevelopment Plans** (scheduled adoption in August 2016)
    - **Chapter 9 – TID 2 Amended Project Plan** (future, post 2016)
    - **Chapter 10 – Tourism Plan** (scheduled for adoption by early fall 2016)
- **Project 2 – Chapter 50 Nuisance Ordinance Update** – In progress. I have made updates to this ordinance in regards to zoning code consistency, statute reference updates and to include standards from the International Code Compliance especially for rental property. Hodell has reviewed the ordinance to make sure it adequately addresses the nuisance issues she deals with and Tatro has updated the areas he would like updated. This is one of the projects I would like Maguire to work on to bring forward through CLPS and to the Board for final approvals.
  - **Project 5 - Beehive Software System implementation** – Staff is still using Energov. Beehive has been ruled out for working for the department. New software solution from Infovision Software called Evolve was approved by the Board on 3/21/16 as a replacement for Beehive. Evolve is cloud based, allows applicants to apply, pay and upload plans right to the system. We would no longer have to do

this data entry ourselves by hand. The software also can keep track of staff review performance by tracking the amount of time it takes to review each permit. This would assist us in the Pay for Performance direction the Village is headed for personnel. A signed contract was received on 3/29/16. A project kickoff meeting was held on 4/4/16. Wehner and myself are now working on the first module which will be the site plan review process. Sounds like we could be training on the module as early as April 27<sup>th</sup>.

- **Project 6 - Update Subdivision Ordinance** – In progress. As of 4/7/16, the ordinance has been reviewed by staff and a 2<sup>nd</sup> updated draft has been received from MDROffers. Services Division staff will be meeting for a conference call with MDROffers on 4/8/16 to discuss his remaining questions. The plan is to begin moving the draft through approvals in May.
- **Project 8 – Audit of Multi-family and commercial properties for Refuse and Recycling Compliance** – Ongoing. Audit was completed for multi-family properties in the summer of 2014 by our Refuse and Recycling Intern. Parker continues to work with these multi-family properties when time allows. We have not started on the commercial audit yet to date. Staff continues to address this at change of use, new construction, or change of owner for both multi-family and commercial at time of approvals and/or permitting. Parker and I have recently completed our interviews of intern applicants and our top candidate, Heidi Miller, a UWSP student, has been hired to fill the position this summer. She will begin her internship on May 23rd.

#### **Staff Development**

- **Project 1 – American Planning Association (APA) membership** – This item is complete and will be removed during the next update to the Strategic Plan. Jared and I are both members of APA and WAPA.
- **Project 2 – Planning Technician Position** – This item is complete and will be removed during the next update to the Strategic Plan.
- **Project 4 – Assistant Building Inspector Position (Code Enforcement/Property Inspector)** – Maguire started employment with the Village in this position on 4/4/16. This item is complete and will be removed during the next update to the Strategic Plan.
- **Project 5 – Plan Commission bylaws, policies and procedures** – Ongoing. Plan Commission Code of Conduct and Rules of Procedures were adopted by the Plan Commission in June. All commissioners have signed the Code of Conduct. We continue to work on policies for the Commission. I am offering Commissioners the ability to attend the 3/15/16 Plan Commissioners workshop offered at the Portage County Annex building in Stevens Point. Commissioners White and Zeyghami along with Assistant Planner Wehner will be attending.

### **3. BUDGET AND FINANCIAL PLAN STATUS.**

- The Department has received the Budget Status Report for February.

### **4. EMPLOYEE DEVELOPMENT & ENGAGEMENT.**

- Staff continued to spend time preparing for the addition of Maguire (Property Inspector) to our Team during the month of March. Maguire began his employment with the Village on 4/4/16.

- Higgins attendance at Weekly C Team Meetings.
- Higgins attendance at Weekly ED Team Meetings
- Higgins attendance at Weekly One-on-One Meetings with Guild.
- Higgins attendance at Bi-weekly Service Division Team Meetings
- Higgins and Parker attend monthly Wellness Committee Meetings.
- Parker and Wehner attend monthly Staff Social Committee Meetings.
- Parker, Wehner, Tatro and Maguire have begun the 2016 Lumin Training.
- Tatro is the current Vice-President of the WI- IAEI. He will be taking over as President later this year.
- Higgins continues to attend the Alumni 2015 Lumin Training Sessions monthly (Feb, March, April, Sept.).
- Department participation at the March All-Staff meeting.
- Each Staff member has completed a meeting with Crowe to discuss our individual tech learning plans. We are also getting acquainted with Lynda.com and have begun watching some of the training videos.
- Attendance at Village 20<sup>th</sup> Anniversary Dinner on 3/11/16

## **5. PERFORMANCE AND METRICS.**

- No further training has been provided to Directors or staff on this since the 1/20/16 meeting with Carlson Dettman staff.
- Infovision Software's Evolve Software will be able to be used for project management and will also have a performance management component to the software. Once an application is deemed complete, a timer will be running in the background and will be able to monitor and track how long it takes staff to complete our review and get approvals out the door.

## **6. COMMUNITY FEEDBACK**

- County Board Supervisor Craig McEwen phoned to compliment me on the article I wrote on the Village's involvement in the upcoming County Addressing project.

## **7. IDENTIFIED NEEDS.**

- Project Management Software, which is being addressed through the deployment of the Evolve software project.

## **8. NEW IDEAS & OPPORTUNITIES.**

- None at this time.

## **9. MISCELLANEOUS COMMENTS / ISSUES.**

- SE Quad Neighborhood Plan – proposed adoption June 2016:
  - Donner, Wodalski and I spent a considerable amount of time working with JSD and WIDOT on updating the WIDOT traffic model and the Village's Traffic Analysis Zones (TAZs) for updating the model. We expect an updated model to be received by 4/8/16.
  - Staff has been working with MiTech on the Wetland Exemption Applications to the DNR.

- Donner and myself are working on the extension of Transport Way out to Weston Avenue. Resolutions 2016-003 and 2016-004 were adopted by the Board to designate Weston Avenue as an arterial street and limit access on Weston Avenue.
- JSD has completed 2 land use alternatives analyses and Staff is currently in the process of reviewing them prior to them going to the WDNR.
- Presentation and Open House for SE Quad is scheduled for May 9<sup>th</sup> from 4:30 to 6pm.
- Economic Development/Plan Commission Update
  - Sign Permits Issued:
    - Platinum Grafix, LLC, 5503 Schofield Avenue, Suite A – SIGN-3-16-6573
    - All Green Corporation, 4803 Ross Avenue, Suite #300 – SIGN-3-16-6577
    - Stine Eye and First Impressions 4009 Community Center Drive – SIGN-3-16-6578
  - Zoning Permits have been issued for the following new businesses:
    - All Green Corporation, 4803 Ross Avenue, STE 3 – ZONE-3-16-6563
    - John Jokela Law Firm, 3409 Schofield Avenue, Unit D – ZONE-3-16-6561
    - Ringle Medical Supply, 5906 Hilgemann Street – ZONE-3-16-6562
    - ANR Pipeline, Weston Avenue– ZONE-2-16-6558
    - Kwik Trip, 7605 Schofield Avenue – ZONE-12-15-6482
    - Platinum Grafix, LLC, 5503 Schofield Avenue, Suite A – ZONE-3-16-6573
    - Redbull, 5302 Schofield Avenue-ZONE-12-15-6467
    - Cricket Wireless (Weston Marketplace)
  - Occupancy Permits Issued:
    - Foundation Finance, 7802 Meadow Rock Drive (CO-1138) (ZONE-8-15-6220) – 3/2/16
    - Redbull, 5302 Schofield Avenue (CO-1144)
  - CSM Approvals:
    - RCSM-2-16-1568 – 4707 & 4709 Holly Avenue - Zero lot line structure (3/8/16)
    - 8902 Progress Way, Lot 5 BP South (From the Forest Project) – 3/24/16
  - Home Occupation Permit Issued for Blake Worniak, 9905 Sandhill Dr – Mail order business is Badger State Ordnance (HOCC-2-16-6559) – 3/8/16
  - Zoning Compliance Letter for Coca Cola, 7707 Schofield Avenue (ZC-16-001) – 3/8/16
  - Zoning Compliance Letter for WOW, 3605 Concord Avenue (ZC-16-002)
  - MHP License Renewal, letter and inspection report sent to Alpine on 3/11/16.
  - On 3/10/16, Donner, Parker, Wehner and myself attended the Chambers Environmental Regulations Update at MiTech.
  - Completed the 2016 Government Units Survey from the US Census Bureau on 3/11/16
  - Parker completed the Green Tier 2015 annual report and emailed it to the DNR on 4/1/16. It will be placed on the 3/18/16 Board Meeting Agenda as a consent item
  - Guild and I met with Bill Scholfield to discuss his needs for a marketing piece to take to the April ICSC Milwaukee. He is doing a roundtable discussion on retail opportunities in Central WI at the conference and will be highlighting our current and available retail spaces to the attending retail retailers and site selectors for the big boxes and other retail franchises.
  - Staff completed the following site plan reviews in February:
    - ANR Pipeline, accessory building, Weston Avenue (CSIT-2-16-1569)

- Kwik Trip, Façade Upgrades at 7605 Schofield Avenue (CSIT-1-16-1565)
- Boy Scouts, 3501 Camp Phillips Rd – Accessory Building – (CSIT-3-16-1572)- 3/24/16
- Coca Cola, 7707 Schofield Ave – Architectural Review – (CSIT-3-16-1571)-3/24/16
- Staff is working on the following site plan reviews:
  - We have been working with a local banking institution on a site plan for a new location in the Village.
  - I have been talking with Lokre Development on a revised Weston Marketplace layout. They have acquired the home to the north of their property and would like to add it to their Marketplace Development.
  - Site Plan Review for parking lot addition at Mount Olive.

**2016 Building Permits Issued to Date**

Date:	Single Family	Duplex	Multi-Family				Commercial	Total All Permits Issued
			4	6	8	12		
January	1	-	-	-	-	-	23	29
February	2	-	-	-	-	-	25	35
March	-	-	-	-	-	-	23	41
<b>Total</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>71</b>	<b>105</b>
<b>Totals from March of each year</b>								
2015	6	1	-	-	-	-	35	71
2014	6	-	-	1	1	-	51	88
2013	2	-	-	-	-	-	42	73
2012	1	-	-	-	-	-	59	90
2011	3	-	-	-	-	-	20	62
2010	4	-	-	-	-	-	17	101
2009	1	2	-	-	1	-	4	46
2008	1	2	-	-	-	1	11	35

## Permits Issued (By Work Class)

Permits Issued From Tuesday, March 1, 2016 through Thursday, March 31, 2016

Permit	Location Address	Issued	Valuation	Square Feet
<b>Additional Building Garage</b>				
ADDB-3-16-6566	3020 NICK Avenue	03/04/2016	25,000.00	1,564
ADDB-3-16-6593	3511 CAMP PHILLIPS RD	03/24/2016	55,000.00	1,976
<b>Totals For Additional Building Garage : 2 Permit(s)</b>			<b>80,000.00</b>	<b>3,540</b>
<b>Additional Building Yard Shed</b>				
ADDB-3-16-6580	6300 BIRCH Street	03/14/2016	300.00	80
<b>Totals For Additional Building Yard Shed : 3 Permit(s)</b>			<b>300.00</b>	<b>80</b>
<b>Commercial Building Exterior Remodel</b>				
CBLD-3-16-6597	5507 SCHOFIELD Avenue	03/29/2016	21,300.00	0
<b>Totals For Commercial Building Exterior Remodel : 1 Perm</b>			<b>21,300.00</b>	<b>0</b>
<b>Commercial Building Local Business, Institutional &amp; Office</b>				
CBLD-3-16-6570	3301 CRANBERRY Boulevard	03/09/2016	10,000.00	0
<b>Totals For Commercial Building Local Business, Institutio</b>			<b>10,000.00</b>	<b>0</b>
<b>Commercial Building Manufacturing and Industrial</b>				
CBLD-3-16-6595	7707 SCHOFIELD AVE	03/29/2016	0.00	60
<b>Totals For Commercial Building Manufacturing and Industr</b>			<b>0.00</b>	<b>60</b>
<b>Electrical Commercial</b>				
ELEC-2-16-6557	3600 Weston Avenue	03/03/2016	0.00	0
<b>Totals For Electrical Commercial : 1 Permit(s)</b>			<b>0.00</b>	<b>0</b>
<b>Electrical Local Business, Institutional &amp; Office</b>				
ELEC-3-16-6588	4020 SCHOFIELD Avenue	03/22/2016	0.00	1,300
<b>Totals For Electrical Local Business, Institutional &amp; Office</b>			<b>0.00</b>	<b>1,300</b>
<b>Electrical Multi Family (3+Units)</b>				
ELEC-3-16-6576	6903 RIVER TRAIL DR	03/15/2016	0.00	9,500
<b>Totals For Electrical Multi Family (3+Units) : 3 Permit(s)</b>			<b>0.00</b>	<b>9,500</b>
<b>Excavation Permit Public Utility</b>				
EXCA-3-16-6600	6510 Ryan Street	03/31/2016	0.00	0
<b>Totals For Excavation Permit Public Utility : 1 Permit(s)</b>			<b>0.00</b>	<b>0</b>
<b>Fence Residential</b>				
FENC-3-16-6582	6404 CONNIE Lane	03/14/2016	4,000.00	0
FENC-3-16-6583	5006 VON KANEL ST	03/14/2016	2,300.00	0
FENC-3-16-6590	5511 SCOTT Street	03/23/2016	1,899.00	0
FENC-3-16-6591	6214 QUENTIN Street	03/23/2016	1,949.00	0
<b>Totals For Fence Residential : 4 Permit(s)</b>			<b>10,148.00</b>	<b>0</b>
<b>Home Occupation Residential</b>				
HOCC-2-16-6559	9905 Sandhill Drive	03/08/2016	0.00	0
<b>Totals For Home Occupation Residential : 1 Permit(s)</b>			<b>0.00</b>	<b>0</b>

Permit	Location Address	Issued	Valuation	Square Feet
<b>HVAC HVAC Commercial New</b>				
HVAC-3-16-6589	4020 SCHOFIELD Avenue	03/22/2016	0.00	1,300
<b>Totals For HVAC HVAC Commercial New : 1 Permit(s)</b>			<b>0.00</b>	<b>1,300</b>
<b>Plumbing Commercial</b>				
PLUM-3-16-6564	4020 SCHOFIELD Avenue	03/02/2016	0.00	0
<b>Totals For Plumbing Commercial : 1 Permit(s)</b>			<b>0.00</b>	<b>0</b>
<b>Residential Building Addition</b>				
RBLD-3-16-6586	3706 MICHAEL Drive	03/18/2016	50,000.00	432
<b>Totals For Residential Building Addition : 1 Permit(s)</b>			<b>50,000.00</b>	<b>432</b>
<b>Residential Building Exterior Remodel</b>				
RBLD-3-16-6581	4807 STERNBERG Avenue	03/14/2016	35,000.00	200
RBLD-3-16-6596	2909 CROSSTRAIL Lane	03/29/2016	14,200.00	0
RBLD-3-16-6598	5105 KELLYLAND Street	03/30/2016	10,800.00	0
<b>Totals For Residential Building Exterior Remodel : 4 Perm</b>			<b>60,000.00</b>	<b>200</b>
<b>Residential Building Interior Remodel</b>				
PLUR-3-16-6572	5303/5305 BIRCH Street	03/10/2016	0.00	0
RBLD-3-16-6565	2701 COUNTRY CREEK Lane	03/02/2016	8,500.00	412
RBLD-3-16-6571	6107 THOMAS Avenue	03/09/2016	0.00	0
RBLD-3-16-6584	5505 RAE JAMES Street	03/18/2016	12,000.00	50
RBLD-3-16-6585	5202 ISAIAH Street	03/18/2016	3,000.00	100
<b>Totals For Residential Building Interior Remodel : 9 Permi</b>			<b>23,500.00</b>	<b>562</b>
<b>Sign Face Replacement New Business</b>				
SIGN-3-16-6577	4803 Ross Avenue	03/11/2016	120.00	32
<b>Totals For Sign Face Replacement New Business : 1 Perm</b>			<b>120.00</b>	<b>32</b>
<b>Sign New</b>				
SIGN-3-16-6574	5503 Schofield Avenue	03/10/2016	300.00	15
SIGN-3-16-6578	4009 Community Center Drive	03/11/2016	5,370.00	48
SIGN-3-16-6579	4009 Community Center Drive	03/11/2016	5,390.00	58
SIGN-4-16-6607	5906 HILGEMANN ST	03/21/2016	350.00	10
<b>Totals For Sign New : 5 Permit(s)</b>			<b>11,410.00</b>	<b>131</b>
<b>Sign Special Event</b>				
SIGN-3-16-6569	4020 SCHOFIELD Avenue	03/07/2016	0.00	48
<b>Totals For Sign Special Event : 6 Permit(s)</b>			<b>0.00</b>	<b>48</b>
<b>Zoning Commercial</b>				
ZONE-12-15-6467	5304 Schofield Avenue	03/11/2016	0.00	9,800
ZONE-2-16-6558	3600 Weston Avenue	03/03/2016	0.00	0
ZONE-3-16-6561	3409 Schofield Avenue	03/03/2016	0.00	8,000
ZONE-3-16-6562	5906 Hilgemann Street	03/04/2016	0.00	3,000
ZONE-3-16-6563	4803 Ross Avenue	03/03/2016	0.00	805
ZONE-3-16-6573	5503 SCHOFIELD AVE	03/10/2016	0.00	1,600
ZONE-3-16-6575	4020 Schofield Avenue	03/10/2016	0.00	1,200
ZONE-3-16-6587	4613 Camp Phillips Road	03/21/2016	0.00	2,400
ZONE-3-16-6592	7707 SCHOFIELD AVE	03/24/2016	0.00	12

Permit	Location Address	Issued	Valuation	Square Feet
<b>Totals For Zoning Commercial : 9 Permit(s)</b>			<b>0.00</b>	<b>26,817</b>

**STAFF REPORT ON STAFF-APPROVED CSM'S, SITE PLANS, SIGN PERMITS, COMMERCIAL ZONING PERMITS, AND CERTIFICATE OF OCCUPANCIES ISSUED SINCE LAST REPORT OF 03/11/2016:**

CCSM-3-16-1573 Riverside Land Surveying/Village of Weston: 8902 Progress Way

ZONE-3-16-6575 Cricket Wireless, 4020 Schofield Avenue, Suite 2

017348

STATE OF WISCONSIN - MARATHON COUNTY  
CSM FILED, VOL. 83, PAGE 5  
03/24/2016 4:16:20 PM  
MICHAEL J. SYDOW, REGISTER OF DEEDS

*Michael J. Sydow*  
*Dean J. Strat*

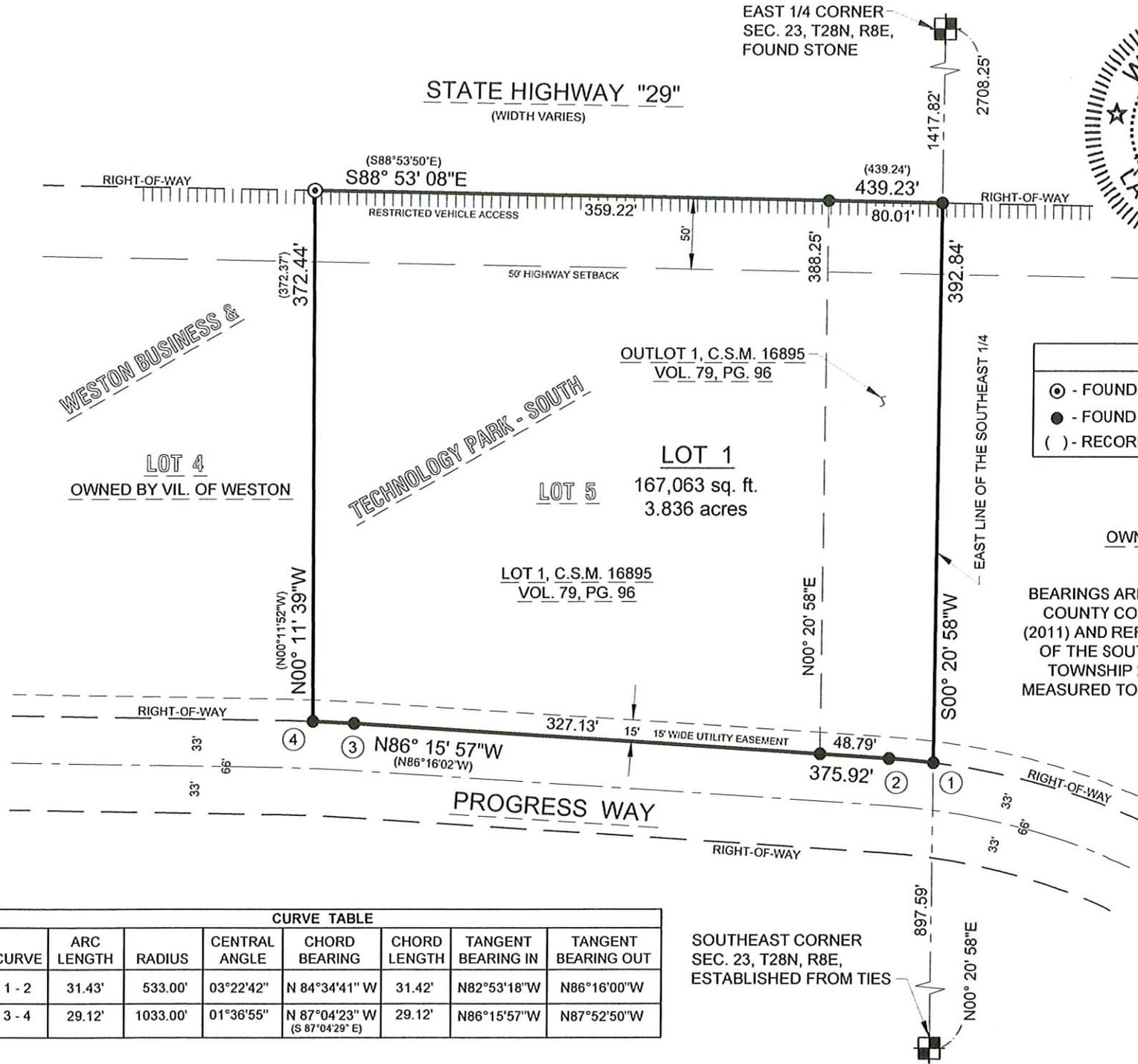


DOC# 1710697

Chg. 30.00

# MARATHON CO. CERTIFIED SURVEY MAP NO. 17348

Of Lot 1 and Outlot 1 of Certified Survey Map Number 16895 recorded in Volume 79 of Certified Survey Maps on page 96 located in part of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

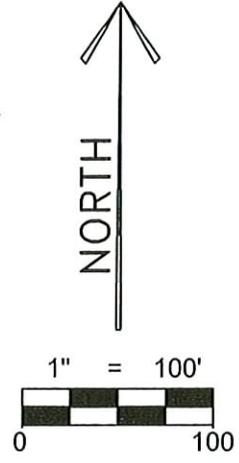


CURVE TABLE							
CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH	TANGENT BEARING IN	TANGENT BEARING OUT
1 - 2	31.43'	533.00'	03°22'42"	N 84°34'41" W	31.42'	N82°53'18"W	N86°16'00"W
3 - 4	29.12'	1033.00'	01°36'55"	N 87°04'23" W (S 87°04'29" E)	29.12'	N86°15'57"W	N87°52'50"W

**LEGEND**

- ⊙ - FOUND 3/4" REBAR
- - FOUND 1-1/4" O.D. IRON PIPE
- ( ) - RECORDED BEARING/LENGTH

BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM NAD 83 (2011) AND REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 23, TOWNSHIP 28 NORTH, RANGE 8 EAST, MEASURED TO BEAR NORTH 00°20'58" EAST.



SHEET 1 OF 2

<b>RIVERSIDE LAND SURVEYING LLC</b> 6304 KELLY PLACE WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894 email - mail@riversidelandsurveying.com	DRAWN BY M.F.L.	DATE MARCH 18, 2016
	CHECKED BY K.J.W.	PROJECT NO. 2425
PREPARED FOR: VIL. OF WESTON		

# MARATHON CO. CERTIFIED SURVEY MAP NO. 17348

Of Lot 1 and Outlot 1 of Certified Survey Map Number 16895 recorded in Volume 79 of Certified Survey Maps on page 96 located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin.

I, Keith J. Walkowski, Professional Land Surveyor S-2717, hereby certify to the best of my knowledge and belief: That I have surveyed, mapped and divided Lot 1 and Outlot 1 of Certified Survey Map Number 16895 recorded in Volume 79 of Certified Survey Maps on page 96 located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 23; Thence North 00°20'58" East along the East line of said Southeast 1/4, 897.59 feet to the North right-of-way line of Progress Way, also the Southeast corner of said Lot 5 of Weston Business and Technology Park - South which is the point of beginning of said described parcel and the beginning of a tangential curve to the left; Thence along said North right-of-way line, 31.43 feet along the arc of said curve, said curve having a radius of 533.00 feet, a central angle of 03°22'42" and a chord that bears North 84°34'41" West for a distance of 31.42 feet; Thence North 86°15'57" West along said North right-of-way line, 375.92 feet to the beginning of a tangential curve to the left; Thence along said North right-of-way line, 29.12 feet along the arc of said curve, said curve having a radius of 1033.00 feet, a central angle of 01°36'55" and a chord that bears North 87°04'23" West for a distance of 29.12 feet to the West line of said Lot 5; Thence North 00°11'39" West along said West line, 372.44 feet to the South right-of-way line of State Highway "29"; Thence South 88°53'08" East along said South right-of-way line, 439.23 feet to the East line of said Lot 5; Thence South 00°20'58" West along said East line, 392.84 feet to the point of beginning.

That the above described parcel of land contains 167,063 square feet, or 3.836 acres more or less;

That said parcel is subject to all easements, restrictions and right-of-ways of record including a 15' wide utility easement;

That I have made this survey, division and map thereof at the direction of the Village of Weston, Owner of said parcel;

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the subdivision regulations of the Village of Weston in Surveying, Mapping and Dividing the same.

That said map is a correct and accurate representation of the exterior boundaries of said parcel and the division thereof.

Dated this 21ST day of MARCH, 2016

Keith J. Walkowski  
Riverside Land Surveying LLC  
Keith J. Walkowski  
P.L.S. No. 2717



## Village of Weston Approval Certificate:

Reviewed and Approved under Chapter 74 of the Village of Weston Ordinance.

By Annita Johnson  
Date 3/23/16  
Village of Weston Zoning Department

SHEET 2 OF 2



**RIVERSIDE LAND SURVEYING LLC**  
6304 KELLY PLACE WESTON, WI 54476  
email - mail@riversidelandsurveying.com  
PH 715-241-7500 - FAX 715-355-6894

DRAWN BY  
M.F.L.

DATE  
MARCH 18, 2016

CHECKED BY  
K.J.W.

PROJECT NO.  
2425

PREPARED FOR:  
VIL. OF WESTON



DOC # 1710697

March 17, 2016



E-Mail Only

Tim Arneson  
2020 Cellular US, LLC  
PO Box 119  
Clear Lake, MN 55319  
[tarneson@2020cellularus.com](mailto:tarneson@2020cellularus.com)

Re: Approved Zoning Permit for Cricket Wireless, at 4020 Schofield Avenue, Suite 2, Weston

Dear Tim,

Thank you for submitting your Commercial Zoning and Pre-Application for review. Per our zoning code, your business use falls within both the Personal or Professional Service and Indoor Sales or Service uses. This property that you will be operating out of is zoned B-3 (General Business), and within this zoning district, two previously stated uses are permitted uses. This property also falls within the D-WM (Weston Marketplace) Overlay District. I have attached a copy of the approved Zoning Permit (ZONE-3-16-6575), along with sections of our zoning code that relate to the above information. You are now approved to start setting up your business.

Last week, Building Inspector, Scott Tatro, e-mailed you the building permit (CBLD-2-16-6549), which allows you to start any renovations. If you have questions related to the construction work, Scott, can be reached at (715) 359-6114, or [statro@westonwi.gov](mailto:statro@westonwi.gov). If you would like to stop in and see him, please be aware his office hours are from 8:00 a.m. to 9:00 a.m., and 3:30 p.m. to 4:30 p.m., Monday through Thursday, or by appointment only.

It does not appear that you have submitted your permanent sign permit yet. In case you have not received the application yet in order to apply for a sign permit, I have that application attached. This completed application and payment can be dropped off or mailed to our office.

The final application we will need to receive is the Occupancy Certificate application. You have already submitted the \$50.00 occupancy inspection fee when you paid for your zoning permit. Once you are all set up to the point where you are ready to open to the public, we ask that you contact me to schedule the occupancy inspection, which will be performed by Scott Tatro, Building Inspector, and Marty Christiansen, Fire Inspector. Once they have performed their inspections, and if there are no corrections to be made, we will then issue you your Commercial Occupancy Certificate, which is what you need prior to opening to the public.

If you have any questions or concerns, please feel free to e-mail me ([vparker@westonwi.gov](mailto:vparker@westonwi.gov)) or the general Planning & Development Department ([PlanDev@westonwi.gov](mailto:PlanDev@westonwi.gov)), or you can call our office at (715) 359-6114.

Sincerely,

Valerie Parker

Administrative Specialist

Planning & Development Department

Cc: Planning & Development Staff  
Marty Christiansen, SAFER Fire Inspector  
Victor Anderson, Lokre Development, [victor@lokre.com](mailto:victor@lokre.com)

**Weston Municipal Center**

5500 Schofield Avenue • Weston, WI 54476 • Phone: (715) 359-6114 • Fax: (715) 359-6117  
[www.westonwi.gov](http://www.westonwi.gov)



# Permit

Permit NO. **ZONE-3-16-6575**

Permit Type: **Zoning**

Work Classification: **Commercial**

Permit Status: **Active**

Issue Date: **3/17/2016**

Expiration: **on Change of Use**

<b>Project Address</b> 4020 Schofield Avenue, Suite 2 Weston, WI 54476	<b>Business Name</b> Cricket Wireless	<b>Applicant</b> Tim Arneson, 2020 Cellular US, LLC, tarneson@2020cellularus.com (832) 671-4892, PO Box 119, Clear Lake, MN 55319
------------------------------------------------------------------------------	------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

<b>Parcel Number</b> 192-2808-174-0894	<b>Property Description</b> Lot 1 of CSM #11806, Vol 50, Pg 94, Doc #1234452	<b>Zoning</b> B-3 (General Business)
-------------------------------------------	---------------------------------------------------------------------------------	-----------------------------------------

<b>Owner Information</b> Victor Anderson Lokre Development	<b>Address</b> PO Box 215 Plover, WI 54467	<b>Phone</b> (715)574-1677	<b>E-Mail</b> victor@lokre.com
------------------------------------------------------------------	--------------------------------------------------	-------------------------------	-----------------------------------

**Proposed Land Use:** Personal or Professional Service and Indoor Sales or Service.

### ZONING:

Base District: B-3 (General Business)  
 Overlay District: D-WM (Weston Marketplace)  
 Conditional Uses: N/A

**Description of Work:** New cellular and wireless internet retail store.

### FEE SUMMARY

Fees Due	Amount	Total	Amt Paid	Amt Due
Zoning Permit Change of Use Fee	\$25.00	<b>\$150.00</b>	<b>\$150.00</b>	<b>\$0.00</b>
Late Fee	\$25.00			
Fine	\$50.00			
Certificate of Occupancy Inspection Fee	\$50.00			
<b>Total:</b>	<b>\$150.00</b>	Payment Type: Check / Number: 5311		

**Comments:** 94.2.02(3) B-3 (General Business) Zoning District, and 94.6.02(3)(d) D-WM (Weston Marketplace) Overlay District. Business Use falls under 94.4.05(2) Personal or Professional Service and 94.4.05(5) Indoor Sales or Service. These uses are permitted within the B-3 Zoning District.

I HEREBY UNDERSTAND THAT THIS PERMIT DOES NOT GRANT ANY RIGHT OR PRIVILEGE TO ERECT ANY STRUCTURE OR TO USE ANY PREMISE HEREIN DESCRIBED FOR ANY PURPOSE OR IN ANY MANNER PROHIBITED BY THE VILLAGE OF WESTON ZONING ORDINANCE. SPECIAL CONDITIONS AND/OR PROVISIONS STATED ON THIS BUILDING PERMIT SUPERCEDE ANY OTHER INFORMATION PROVIDED BY THE APPLICANT, INCLUDING INFORMATION PROVIDED ON THE PLANS. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS PERMIT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HERIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

**Tim Arneson, Managing Partner**

Signature of Owner / Applicant / Contractor / Agent

**March 2, 2016**

Date

**Valerie Parker**

Issued By: Village of Weston, WI

**March 17, 2016**

Date

**2020CelleularUS LLC Business Operational Plan for Cricket Wireless Store**

To Jennifer Higgins,

My name is Tim Arneson, I am the Managing Partner for 2020CellularUS LLC. We have a Dealer Agreement with Cricket Wireless. Cricket Wireless is a GSM 4G LTE Nationwide Wireless provider who is owned by AT&T Wireless. We are requesting to build out a store in Weston located on 4020 Schofield Ave. right next to the new Dunkin Doughnut location. We will be building out a 1,300 square foot spot to sell our products and services comprised of Cell Phones and Cell Phone Accessories. We currently have 17 stores open in WI. and MN., with another 3 to come on line by end of March.

We will employ approximately 5-10 people and our store hours will range from 9am to 8pm. Monday through Sat. Our Sunday hours will be 11am to 6pm.

The outside of the building will remain the same with the exception of a Cricket Wireless Sign to be hung on the outside of the building.

The inside of our store will consist of fixtures, carpet, point of sale equipment etc. the cost of the build out will roughly 125,000.00. Please see attached picture.

We plan to integrate ourselves into the community and hopefully forge relationships, hire our employees from the local community and create a presence that is valued and well received.

We are very pleased to have located what we feel is a prime location in a very fine and fitting community.

I appreciate your time and we look forward to hearing back from you.

Sincerely,

Tim Arneson

Managing Partner

**Commercial Zoning and Pre-Application**

Permit  
 Village of Weston/ETZ  
 Date: 3/2/2016

Permit No.: ZONE-3-16-6575

Payment:  Cash  Check No. 5311 \$100.00 FEE w/ FINE



5500 Schofield Ave  
 Weston, WI 54476

Plus \$50.00  
 occupancy  
 inspection  
 fee.

-- PLEASE USE THE ONLINE FILLABLE PDF --

**ZONING FEES**

Zoning Permit \$25.00 FEE [43/4343]

**EXPLANATION OF PROCESS**

No new building and no existing building which is to be remodeled or relocated shall be issued a building permit until a zoning permit has been issued to certify that such construction or change would comply with the provisions of Chapter 94 of the Village of Weston Municipal Code, Wisconsin Uniform Building Code, and Village Building Codes. Buildings or spaces within buildings are not allowed to be occupied without a Certificate of Occupancy issued in the name of the tenant occupying that building or space. Applications for a Zoning Permit shall be made to the Department of Planning and Development prior to the submittal of an application for a site plan review, commercial rezone, conditional use, building permit and/or certificate of occupancy. THIS IS AN APPLICATION AND NOT A PERMIT TO OCCUPY THE BUILDING. Permits filled after the fact shall be subject to double the fee and a \$50.00 fine.

**APPLICANT INFORMATION**

Business Name: 2020 Cellularus LLC Contact Name: Tom Arneson  
 Business Owner: Tom Arneson Mailing Address: \_\_\_\_\_  
 Business Address: PO Box 119  
Clear Lake, MN 55319 Phone: 832.671.4892  
 Website: www.cricketwireless.com Email: arneson@2020Cellularus.com  
 Date Opening: 3/31/2016 Applicant will:  Rent  Lease  Own

Property Owner: Lokre Co Contact Name: Victor Anderson  
 Mailing Address: PO Box 215 Phone: 715.574.1677  
Plover, WI 54467 Email: victor@lokre.com

**EXISTING AND PROPOSED USES**

Current and proposed use of subject property (check all applicable uses, and whether each is a current use, proposed use, or both):

- |                                               |                                      |                                                  |
|-----------------------------------------------|--------------------------------------|--------------------------------------------------|
| Multiple Family Residential – 3 or more units | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Mixed Commercial/Residential                  | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Office                                        | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Commercial Retail/Service                     | <input type="checkbox"/> Current Use | <input checked="" type="checkbox"/> Proposed Use |
| Industrial and Warehousing                    | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Institutional                                 | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Parking                                       | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Excavation/Mining/Significant Earth Movement  | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |
| Other: _____                                  | <input type="checkbox"/> Current Use | <input type="checkbox"/> Proposed Use            |

**PROJECT SITE SPECIFICATIONS**

Project Type: Select a Project Type

Project Address: 4020 Schofield WI Suite 2 <sup>ave</sup>  
(or PIN if no address)

Building Size (ft<sup>2</sup>): 1200 sq ft.

Lot Size(ft<sup>2</sup> & Acres): \_\_\_\_\_

: Select Zoning Designation B-3

Legal Description: \_\_\_\_\_

**OPERATIONAL PLAN REQUIRED**

The following components are required in the operational plan: (1) detailed description of the activities and process which will be taking place on the above stated property. This includes all principal uses, accessory uses and temporary uses (please see the use chart in Chapter 94); (2) a statement regarding outdoor storage and a detailed description of the materials being proposed to be stored (are there hazardous materials?); (3) a statement regarding the impacts on the neighboring parcels. What is the anticipated increase in traffic? The number of employees working on site. Drop-off and/or pick-up of materials and/or products (what times will these occur?); (4) existing facilities at the proposed site. Will there be the need to add or reduce the facilities (this includes parking spaces and square footage of the building/space occupied or outdoor storage); (5) what additional licenses are required to operate? A copy of all licenses will be required to be submitted with the occupancy application; (6) please include any other pertinent information.

Has the operational plan been attached?  Yes  No  
Does the operational plan include ALL the required components listed above?  Yes  No

**SITE PLAN REQUIRED**

A site plan shall be submitted with this application. The site plan showing the following features: legal description of the property; subject site with lot dimensions, buildings, uses, fences, and other structures; easements; streets, railroads and other public right-of-ways; off-street parking areas and total number of available parking spaces; loading areas and driveways; outdoor storage areas; highway access restrictions and other restrictions where applicable; water ways, wetlands and floodplain boundaries; existing and proposed front, interior and rear yard setbacks. Some parcel information and maps may be obtained via the \_\_\_\_\_ . For new construction, building additions and accessory structures this requirement is waived for this application. A separate **Commercial Site Plan Application** will be issued once this application has been approved by staff.

Has the site plan been attached?  Yes  No  N/A  
Does the site plan include ALL the required components listed above?  Yes  No  N/A

**OTHER REQUIREMENTS**

A copy or description of any prior rezoning, conditional use permit, site plan, variance or other Village actions may be required to be submitted before a zoning permit may be issued. The Zoning Administrator or appointed designee will review the zoning compliance requirements with the applicant as necessary.

Has the required information been attached?  Yes  No  N/A

**REIMBURSEMENT FOR DEVELOPMENT REVIEW SERVICES**

The Village Planner, Village Engineer, Public Works Director, Village Attorney, and other Village staff and consultants may expend time in the administration, investigation, and processing of development review applications. In addition, the Village may retain the services of other professional consultants—including but not limited to landscape architects, architects, environmental specialists, and recreation specialists—in the investigation and processing of such applications.

Reinforcing the requirements of Section 94.16.18(4) of the Village zoning ordinance, the signing and submittal of this application or petition for development review shall be construed as an agreement to pay for professional consulting services associated with the administration, investigation, and processing of this application or petition. The Village Administrator shall retain sole discretion in determining when and to what extent it is necessary to involve one or more professional consultants in the review of each application or petition.

The Applicant shall be responsible for the costs for such professional consulting services. The Applicant shall pay such costs upon receipt of one or more invoices from the Village, following the execution of the development review services associated with the application. In the event the Applicant fails to pay such costs, the responsibility shall pass to the property owner, if different, under

the same terms. Development review fees that are assigned to the Applicant or property owner, but that are not actually paid, may then be imposed by the Village as a special charge on the affected property.

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**STATEMENT OF UNDERSTANDING AND SIGNATURES**

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By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified.

**ALL FINALIZED**

**PERMITS WILL BE SENT VIA EMAIL OR BE PICKED UP AT THE MUNICIPAL CENTER. Permits will not be sent by mail.** Work on the proposed project cannot begin without the issuance of a permit. Permits filled after the face shall be subject to double the fee and a \$50.00 fine.

*Dem Ameron Managing Partner*

*3/2/2016*

Signature of Applicant

Date

Property Owner     Project/Business Owner     Project Manager

STAFF REVIEW

PIN: 192-2808-174-0894

Zoning: B-3 + D-WM

Village  ETZ

Filed After the Fact:  Yes  No

Fine Imposed:  Yes  No

Amount: \$100.00 TOTAL

Conditional Use:  Yes  No Reason: \_\_\_\_\_

N/A

Use: \_\_\_\_\_

Proposed PC/ETZ Meeting Date: \_\_\_\_\_

CUP Number: \_\_\_\_\_

Rezone:  Yes  No Reason: \_\_\_\_\_

N/A

Requested Zone: \_\_\_\_\_

Proposed PC/ETZ Meeting Date: \_\_\_\_\_

Rezone Number: \_\_\_\_\_

Variance:  Yes  No Reason: \_\_\_\_\_

N/A

Requested Variance: \_\_\_\_\_

Proposed ZBA Meeting Date: \_\_\_\_\_

Variance Number: \_\_\_\_\_

Site Plan Application No. \_\_\_\_\_

Approval Date: \_\_\_\_\_

Building Permit No. \_\_\_\_\_

CBLD-2-16-6549

Approval Date: \_\_\_\_\_

03-10-16

Sign Permit No. \_\_\_\_\_

Permanent / Temp Date: \_\_\_\_\_

Code Section: 94.2.02(3) B3 (General Business) and 94.6.02(3)(d) D-WM

Comments: (Weston Marketplace overlay). Business Use falls under:

94.4.05(2) Personal or Professional Service and 94.4.05(5) Indoor Sales or Service. These uses are permitted within the B-3 zoning District.

*Jennifer L Higgins*  
Signature of Zoning Administrator or Designee

3/10/16  
Date

Permit Number

ZONE-3-16-6575

Approved  Denied

STAFF TIME TABLE CHECKLIST

Pre-application conference with Planning and Development Department Staff. (optional)  
N/A Date: \_\_\_\_\_ Participants: \_\_\_\_\_

Application and required plans filed with the Village.  
Date: 3-2-16 Received by: JW

Application fee received by Village.  
Date: 3-7-16 Received by: JW

Application and submitted plans verified as being complete.  
Date: 3-10-16 Reviewed by: VP

Determination by Zoning Administrator as to whether requested zoning permit requires approval or recommendation from another body under the zoning ordinance (e.g., conditional use permit, site plan approval). (Skip if N/A)  
Review Authority: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Action Taken:  Granted  Granted with modifications  Denied

Zoning Administrator (or designee) action.  
Date: 3-17-16 Action Taken:  Granted  Denied Designee: [Signature]

Applicant notified of decision and sent Occupancy Permit Application.  
Date: 3-17-16 Sent by: VP

Attached in Smart Search.  
Date: \_\_\_\_\_ Attached by: \_\_\_\_\_

Attached and closed in Beehive.  
Date: \_\_\_\_\_ Closed by: \_\_\_\_\_

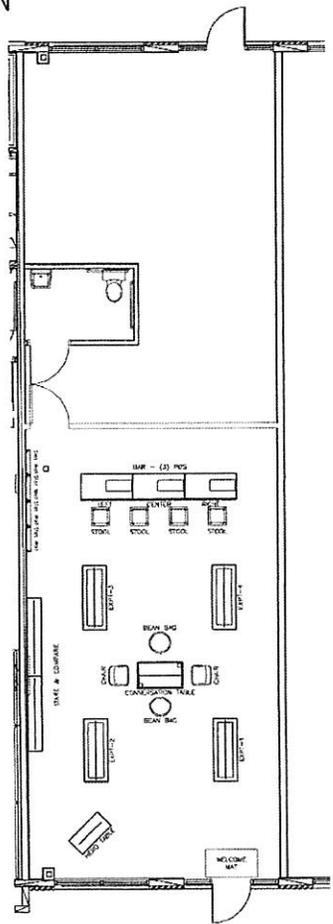
STORE #  
80168116

2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless

**\*FINAL CRICKET RETAIL DESIGN PLAN**  
**\*\*9'-0" MINIMUM CEILING HEIGHT**  
**REQUIRED**

NOTE: GC TO DEMO ANY EXISTING WALLS, OBSTRUCTIONS OR ARCHITECTURAL FEATURES IN SALES AREA THAT WOULD FACILITATE LAYOUT



APPROVED  
By: [Signature] at 2:02 PM Sep 24, 2015

678 FT<sup>2</sup>  
**(A) SPACE PLAN**  
SCALE: 3/32" = 1'-0"

**SITE PHOTOS**

\*\* ALL EXISTING WALL FIXTURES (E.G., CABINETS, SLATWALL, ETC..) MUST BE REMOVED / PATCH AND PAINT DRYWALL.

No interior photos submitted at space plan. Any unforeseen architectural or other elements not captured in dealers submitted site plan that effect construction or graphic layout must be corrected at Dealers expense.

STORE TYPE:  
**Exclusive**

**Fixture Schedule**

QTY	DESCRIPTION
0	End Cap
1	Customer Service Desk - [Small]
1	Customer Service Desk - [Medium]
1	Customer Service Desk - Center
4	Experience Table
1	Hero Table
1	Kid Conversation Table
1	Store and Compare Wall Fixture
0	Store and Compare Access Cabinet
1	Slat Wall Brackets
0	Bill Pay Station
1	Impact Regular Store Kit
1	Invoice Kit KT01526 Exclusive Store Kit
2	Chairs for Center Seating
4	Stools for Bar
4	2R Wall Merchandiser

DRAWN BY: JCK SCALE: AS NOTED

NO	DATE	BY	REVISION
1	9/24/15	NER	Revised the Hero Table

DATE: 9/21/15 Sheet: 1



STORE #  
80168116

2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless

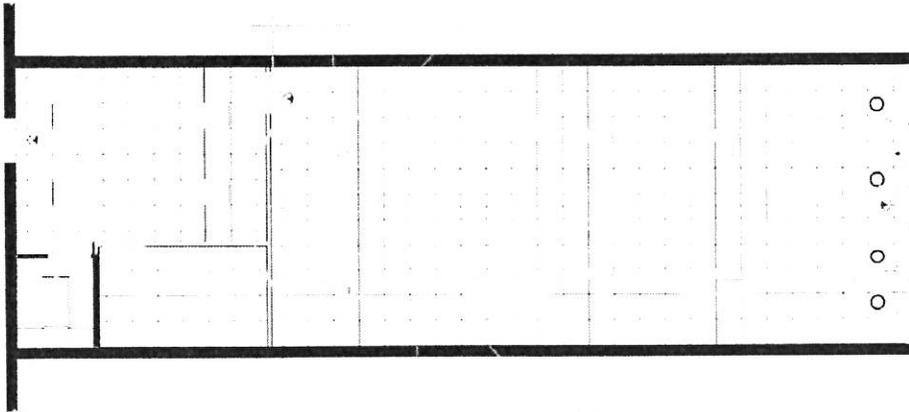
**\*FINAL CRICKET RETAIL DESIGN PLAN**

**Lighting – Required**

Track lighting is required at the Cricket branded logo wall.  
Mount track directly to the suspended or hard ceiling 5' away from back wall on center of the Cricket logo.  
If location has an exposed deck the recommendation is to mount on a suspended "I" bar at 10' above finished floor

The specified track lighting and bulbs are available off the shelf at Home Depot or Lowes hardware stores.

The example Ceiling & Lighting Plan below shows a prototypical store.



**Notes:**

Specifications:  
All specifications are prototypical. GC should refer to site specific space plan for all power & data locations.

Track:  
Hampton Bay 4 ft. White Track Lighting Track  
Model # EC750M1  
3 required



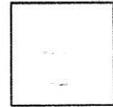
Conduit:  
Hampton Bay White Conduit Power Feet for Linear Track Lighting  
Model # EC725W1  
3 required



Light Fixtures:  
Hampton Bay PAR30 75W Perforated Double Arm Cerebral Fixture  
Model #EC934W1  
3 required



Bulb:  
Philips EcoVantage 53W Halogen PAR30S Indoor/Outdoor Dimmable Flood Light Bulb  
Model #421438  
3 required



**Contacts:**

Sheet:

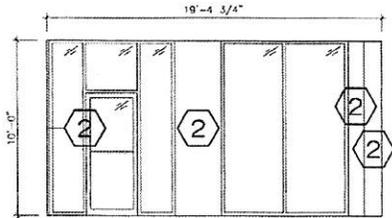
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STORE #  
80168116

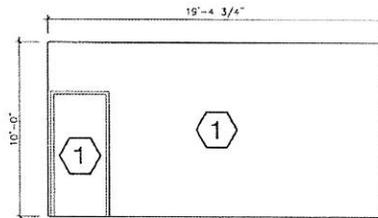
2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless

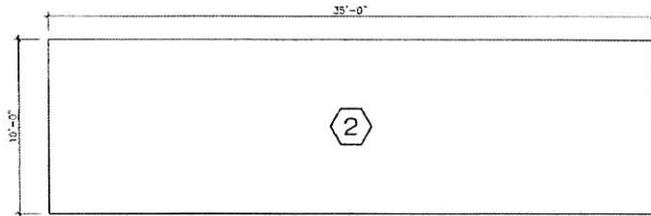
\*FINAL CRICKET RETAIL DESIGN PLAN



**D** FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

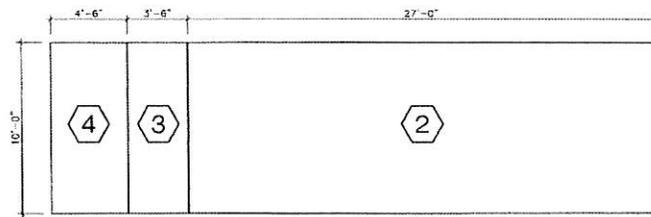


**E** BACK WALL ELEVATION  
SCALE: 1/8" = 1'-0"



**F** LEFT WALL ELEVATION  
SCALE: 1/8" = 1'-0"

FRONT TO BACK



**G** RIGHT WALL ELEVATION  
SCALE: 1/8" = 1'-0"

BACK TO FRONT

Notes: PAINT SCHED

**PAINT SPECIFICATIONS:**  
Cricket paint is available at any local Sherwin-Williams store. The custom paint mix is captured in the Sherwin-Williams database under:

Cricket division of AT&T  
Account number: 5530-0478-9  
Name/Color

**PAIN 1:**  
Name/Color: Cricket Green  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

**PAIN 2:**  
Name/Color: Cricket White  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

**PAIN 3:**  
Name/Color: Cricket Yellow  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

**PAIN 4: BLACKBOARD:**  
Name: BLACKBOARD  
Manufacturer: Sherwin-Williams  
Number: 958-995  
Finish: Eggshell

**PAIN 5:**  
Name: Cricket Blue  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

Contacts:

Sheet:

3

STORE #  
80168116

2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless

\*FINAL CRICKET RETAIL DESIGN PLAN

Notes: PAINT SCHED

PAINT SPECIFICATIONS:  
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Name/Color

PAINT 1:  
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Manufacturer: Sherwin-Williams  
Finish: Eggshell

PAINT 2:  
Name/Color: Cricket White  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

PAINT 3:  
Name/Color: Cricket Yellow  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

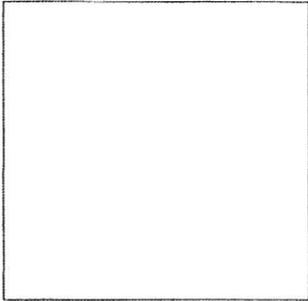
PAINT 4: BLACKBOARD  
Name: BLACKBOARD  
Manufacturer: Sherwin-Williams  
Number: 958-995  
Finish: Eggshell

PAINT 5:  
Name: Cricket Blue  
Manufacturer: Sherwin-Williams  
Finish: Eggshell

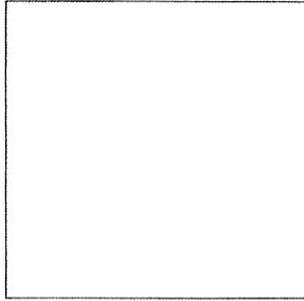
Contacts:

Sheet

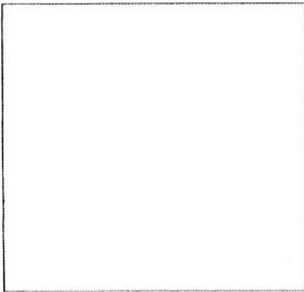
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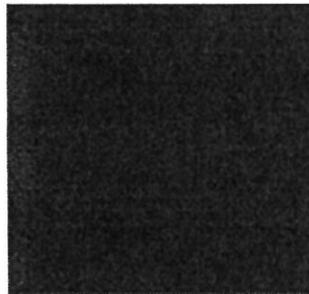
Cricket Yellow



Cricket Green



Cricket White



Chalkboard

STORE #  
80168116

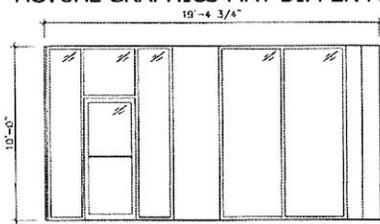
2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless

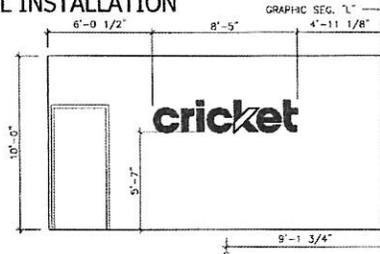
\*FINAL CRICKET RETAIL DESIGN PLAN

\*ACTUAL GRAPHICS MAY DIFFER FROM FINAL INSTALLATION

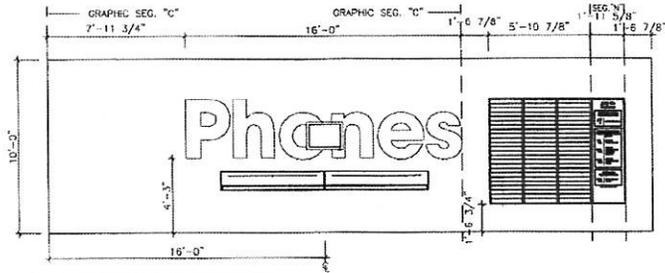
NOTE: SEE INSTALLATION INSTRUCTIONS FOR GRAPHIC PLACEMENT / DIMENSIONS ABOVE FINISHED FLOOR



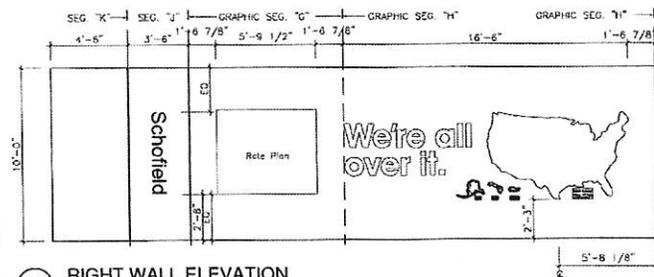
**D** FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



**E** BACK WALL ELEVATION  
SCALE: 1/8" = 1'-0"



**F** LEFT WALL ELEVATION  
SCALE: 1/8" = 1'-0"



**G** RIGHT WALL ELEVATION  
SCALE: 1/8" = 1'-0"

**GRAPHIC LEGEND**

QTY	DESCRIPTION
	GRAPHIC SEGMENT "A"
	Happy Cloud Set - 3mm Sintra
	GRAPHIC SEGMENT "C"
1	Phones Graphics - 6mm Sintra Letters
	GRAPHIC SEGMENT "D"
	HRS Right Set Nationwide 4G
	HRS Right Set Yellow Background
	GRAPHIC SEGMENT "E"
	GRAPHIC SEGMENT "F"
	Heart & Phone Set 3 mm Sintra
	GRAPHIC SEGMENT "G"
1	Magnetic Rate Plan - printed graphic and backing
1	Magnetic Rate Plan Frame
	GRAPHIC SEGMENT "H"
1	Store Map Board Wall
	GRAPHIC SEGMENT "J"
1	City Locator Letters 6mm Sintra
	GRAPHIC SEGMENT "K"
1	
	GRAPHIC SEGMENT "L"
1	Cricket Back Wall Letters 24" (Standard)
	GRAPHIC SEGMENT "M"
	HRS Left Set Good Phone Day
	HRS Left Set Skyline Background
	GRAPHIC SEGMENT "N"
1	Wall Accessory Cabinet Graphic

**NOTES:**

Sheet:

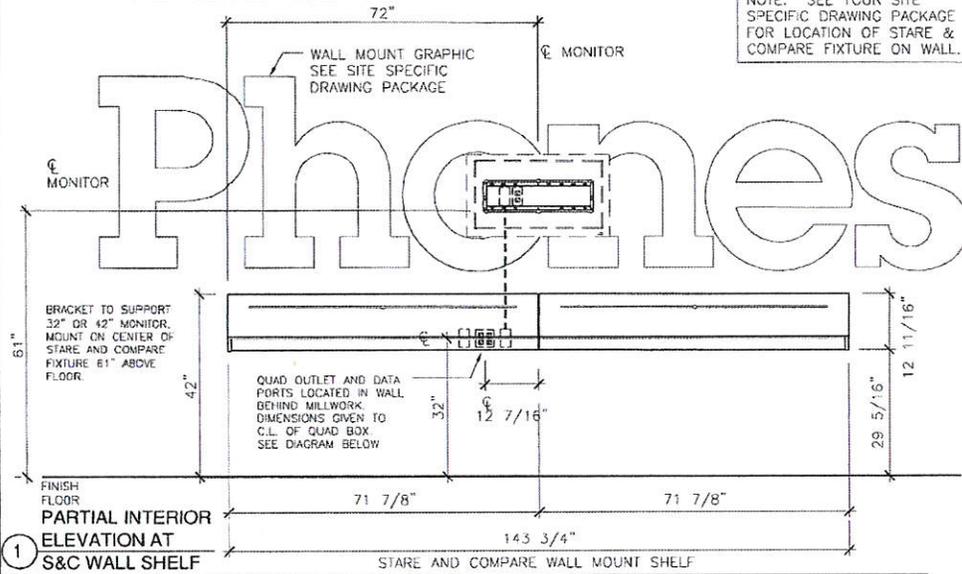
4

STORE #  
80168116

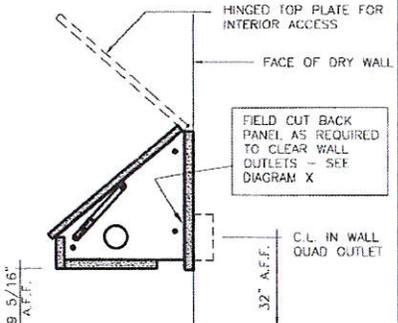
2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

### Cricket Wireless

**\*FINAL CRICKET RETAIL DESIGN PLAN**

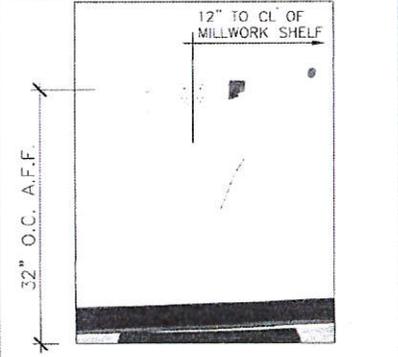


NOTE: SEE YOUR SITE SPECIFIC DRAWING PACKAGE FOR LOCATION OF STARE & COMPARE FIXTURE ON WALL.

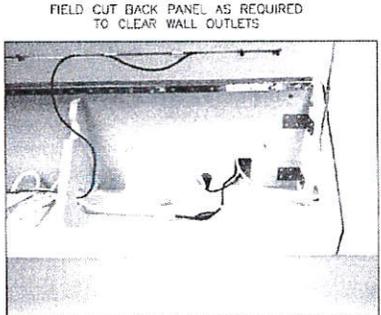


**2 SECTION AT S&C SHELF**

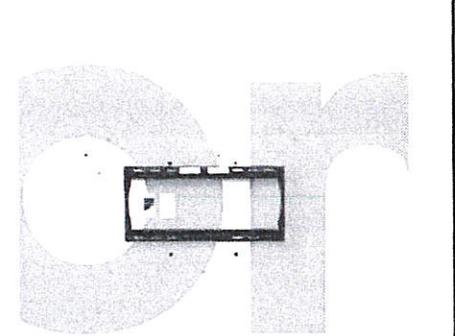
NOTE: STARE AND COMPARE WALL SHELF REQ'S:  
1 - QUAD WALL OUTLET  
1 - DATA PORT (MIN.)  
MOUNT JUNCTION BOX INSIDE WALL AT 32" A.F.F.



**DIA. 1 - ELECTRICAL/DATA LOCATION**  
MILLWORK NOT SHOWN



**DIA. 2 - ELEC. DATA LOCATION W/ MILLWORK**

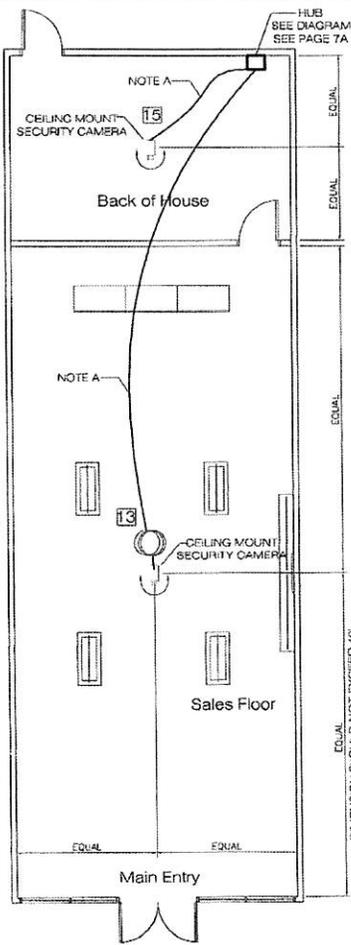


**DIA. 1A - MONITOR BRACKET W/ ACCESS CHASE**

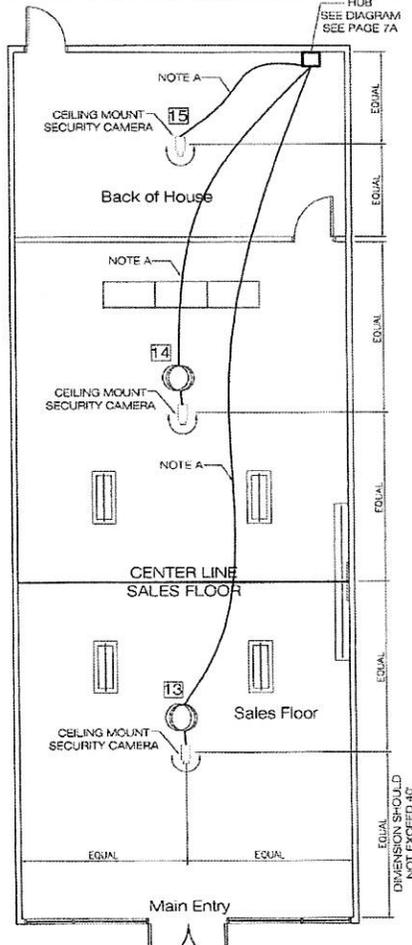
STORE #  
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Cricket Wireless



**A** Security Camera Plan.  
Sales Floor LESS than 1,000 sq. feet



**B** Security Camera Plan.  
Sales Floor GREATER than 1,000 sq. feet

**NOTE:**  
All cat 5E cables need to be terminated in the back office (MDF room) or dedicated wall space) See page 7A  
Use tags to identify all cat 5E cables at termination point.  
If a unit is not used in a site, skip the data number for that particular unit

**X** = CAT 5E TAG NUMBER

**NOTE:** SEE YOUR SITE SPECIFIC DRAWING PACKAGE FOR LOCATION OF STAIR & COMPARE FIXTURE ON WALL.

**Camera Deployment:**

**Sales Floors Less than 1,000 sq. feet.**  
Sales Floor:  
Locate (1) security camera in the center of the sales floor ceiling. If an electrical or mechanical fixture prevents center location, locate camera as close as possible to intended location.  
Back of House:  
Locate (1) security camera in the center of the Back of House ceiling. Adjust location as required by site conditions.  
SEE PLAN A THIS SHEET.

**Sales Floors greater than 1,000 sq. feet.**  
Sales Floor:  
Determine the over all Center Line of the Sales Floor.  
Locate (1) security camera from the centerline of the sales floor forward to the store front wall. Center camera in this area.  
Locate a 2nd security camera from the centerline of the sales floor to the back wall. Center camera in this area.  
If an electrical or mechanical fixture prevents center location, locate camera as close as possible to intended location  
Back of House:  
Locate (1) security camera in the center of the Back of House ceiling. Adjust location as required by site conditions.  
SEE PLAN B THIS SHEET.

**Notes:**

**NOTE A:**  
G.C. to run "home run" cat 5E cables to each camera location.  
At Sales Floor camera location, provide 12' of slack cable, coiled in ceiling, for location adjustment as required.

Sheet

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Cricket Wireless

Notes:

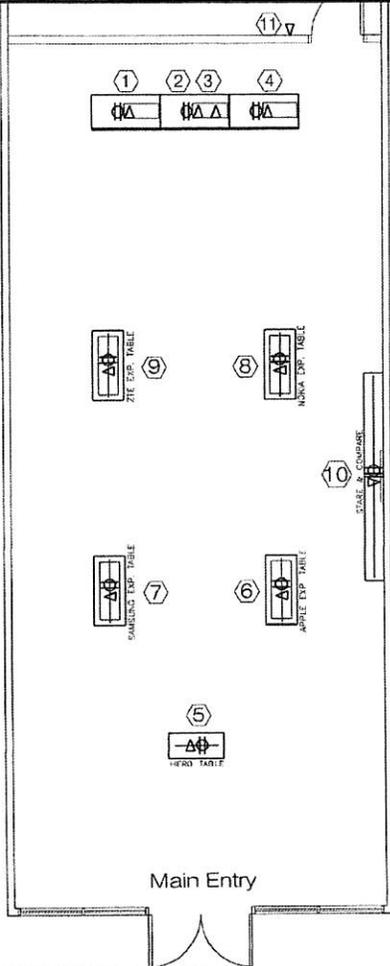
NOTE:  
All data runs need to be terminated in the back office (MDF room or dedicated wall space)  
See page 7A

Use tags to identify all data run cables at termination point.

If a unit is not used in a site, skip the data number for that particular unit

⊗ = DATA TAG NUMBER

NOTE: SEE YOUR SITE SPECIFIC DRAWING PACKAGE FOR LOCATION OF STARE & COMPARE FIXTURE ON WALL.



(A) TYPICAL ELEC. LAYOUT

DATA/PHONE PORT SCHEDULE	
TAG #	DESCRIPTION
① ② ④	DATA PORT FOR POINT OF SALE SYSTEM
③	DATA PORT FOR POINT OF SALE PRINTER
⑤	DATA PORT FOR HERO TABLE
⑥ ⑦ ⑧ ⑨	DATA PORT FOR EXPERIENCE TABLE
⑩	DATA PORT FOR STARE AND COMPARE WALL
⑪	PHONE LAND LINE - TYP LOCATION AT DEALER'S DESCRETION IN BACK OF HOUSE

Sheet:

7

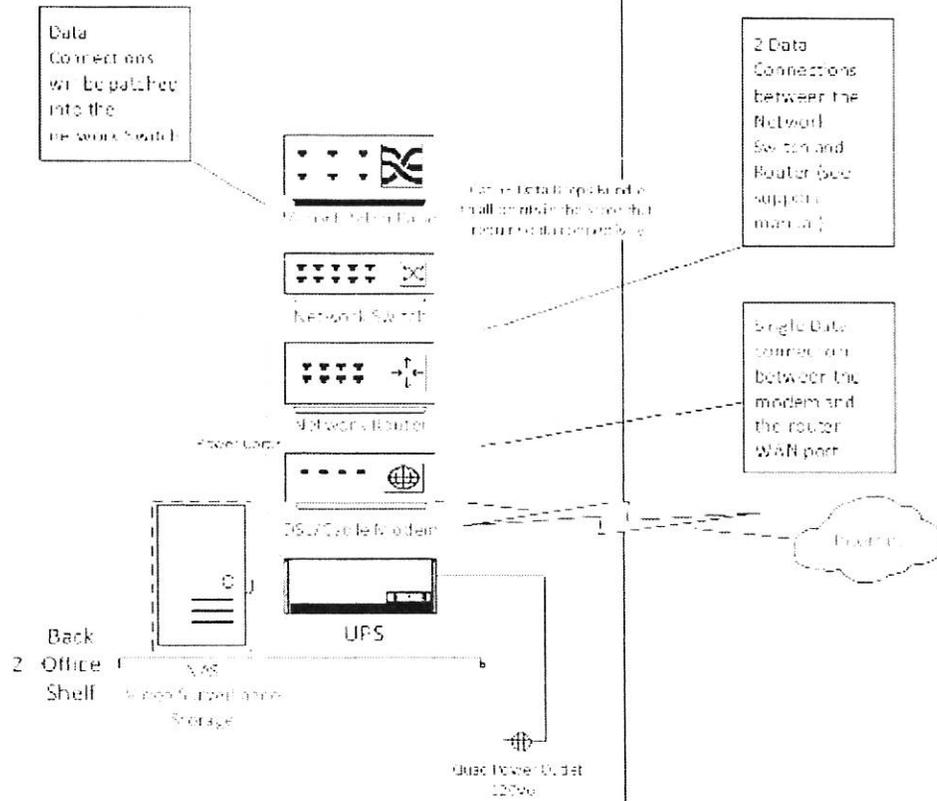
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Cricket Wireless

Placed in Back-Office Wall

NOTE: SEE YOUR SITE SPECIFIC DRAWING PACKAGE FOR LOCATION OF STAIRS & COMPARE FIXTURE ON WALL.



MDF Schematic Notes:

DSL Business Class Service with bandwidths greater than 15 MB download and 5 MG upload required. All runs need to be terminated in the back office (MDF room or dedicated wall space).

(A) TYPICAL HUB DIAGRAM

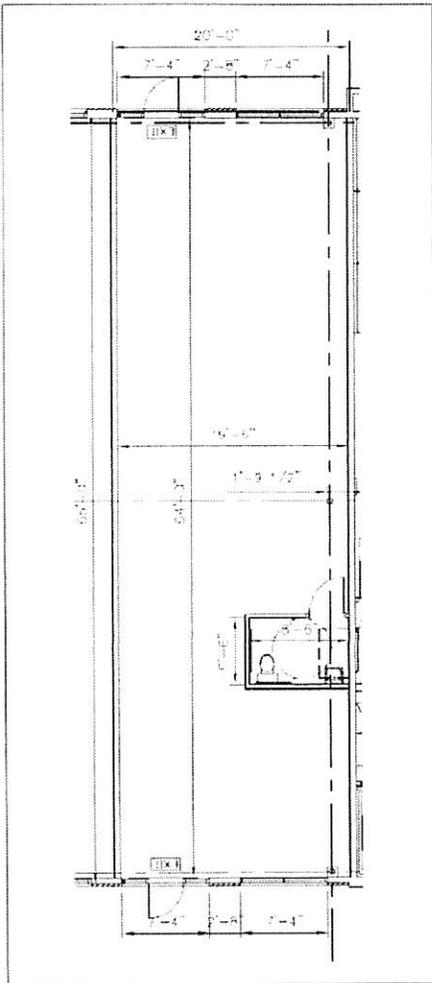
Sheet

7A

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2020 Cellular US LLC - 4020 Schofield Ave, Schofield, WI

Cricket Wireless



(A) SITE SURVEY LAYOUT

Sheet:

8

- (b) B-1 *Neighborhood Business*. The B-1 district accommodates small-scale office, retail, and service uses compatible with adjacent residential neighborhoods. Development within this district is served by public sanitary sewer and water services. The B-1 district is intended for areas planned for commercial uses, and for small portions of areas planned for neighborhood development, within the Comprehensive Plan. (Predecessor district: B-1 Neighborhood Convenience Retail and Service)
  - (c) B-2 *Highway Business*. The B-2 district accommodates a range of large- and small-scale office, retail, commercial service, restaurant, and lodging uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses within the Comprehensive Plan. (Predecessor district: B-2 Community Retail and Service)
  - (d) B-3 *General Business*. The B-3 district accommodates a wide range of commercial uses, along with compatible wholesale, light industrial, and outdoor storage and display uses. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping (i) along major highway corridors; (ii) outside of the Village's neighborhood areas; and (iii) in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district B-3 General Commercial)
  - (e) BP *Business Park*. The BP district accommodates office, light industrial, and other compatible businesses and support uses in a controlled business or office park setting. Allowable uses and activities include those associated with low levels of noise, odor, vibrations, and particulate emissions. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for commercial uses, and occasionally in areas planned for industrial uses, within the Comprehensive Plan. (Predecessor district: B-P Business Park and B-4 Office)
  - (f) LI *Limited Industrial*. The LI district accommodates primarily light industrial, storage, office, and other compatible businesses and support uses. Allowable uses are geared toward activities which are not associated with high levels of noise, odor, particulate emissions, outdoor activities, and other potential nuisances. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in areas planned for industrial uses within the Comprehensive Plan. (Predecessor district: LMD Light Manufacturing Distribution)
  - (g) GI *General Industrial*. The GI district accommodates a range of manufacturing, assembling, fabrication and processing, bulk handling, storage, warehousing, trucking, and utility uses. The uses associated with this district may have significant off-site impacts such as heavy truck traffic, noise, and odors. Development within this district is served by public sanitary sewer and water services. This district is intended for mapping in limited areas planned for industrial uses within the Comprehensive Plan, at the Village's discretion. (Predecessor district: M1 Manufacturing and warehousing)
- (4) **Other Districts.**
- (a) N *Neighborhood*. The N district is intended to facilitate cohesive planned neighborhood developments that include desirable and innovative variations in the mix and relationship of uses, structures, and open spaces, consistent with proven principles of high-quality neighborhood design including traditional neighborhood design and conservation neighborhood design. Development within this district is served by public sanitary sewer and water services. See Article 14 for specifications. (Predecessor district: TND Traditional Neighborhood Development)

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category		Zoning District (see key at end of figure)						
(#)	Land Use Type	INT	B-1	B-2	B-3	BP	LI	GI
(10)	Community Living Arrangement (16+)		C	C		C		
<b>Commercial Land Uses</b> (see Section 94.4.05 for descriptions and standards for each land use)								
(1)	Office	C	P	P	P	P	P	P
(2)	Personal or Professional Service		P	P	P	P	P	P
(3)	Artisan Studio		P	P	P	C	C	
(4)	Group Day Care Center	P	P	P	P	C	C	
(5)	Indoor Sales or Service		P	P	P	C	C	
(6)	Outdoor Display		C	C	P		C	C
(7)	Indoor Repair and Maintenance			P	P		P	P
(8)	Outdoor and Vehicle Repair and Maintenance			C	P		P	P
(9)	Drive-In or Drive-Through Sales or Service		C	P	P	C	C	C
(10)	Indoor Commercial Entertainment		C	P	P	P	C	C
(11)	Outdoor Commercial Entertainment		C	C	C			
(12)	Commercial Animal Establishment				P			
(13)	Bed and Breakfast		C	C				
(14)	Boarding House			C				
(15)	Campground	C						
(16)	Commercial Indoor Lodging		C	P	P	P		
(17)	Tourist Rooming House		C					
(18)	Adult Entertainment or Adult-Oriented Establishment							C
(19)	Large Retail and Commercial Service Development			C	C			
(20)	Microbeverage Production Facility		C	P	P	C	P	P

**Performance Standards:**

1. Except as provided in subsections 3. and 4. below, no Community Living Arrangement shall be established within 2,500 feet of any other such facility regardless of its capacity unless the Plan Commission and Village Board agree to a reduction in spacing. Two community living arrangements may be adjacent if the Village authorizes that arrangement and if both facilities comprise essential components of a single program.
2. Except as provided in subsection 3 below, the total combined capacity of all Community Living Arrangements (of all capacities) in the Village shall not exceed one percent of the combined population of the Village (unless specifically authorized by the Village Board following a public hearing). The applicant shall be responsible for providing information on the total, combined capacity of all Community Living Arrangements within the Village and its Extraterritorial Zoning Area.
3. A foster home that is the primary domicile of a foster parent and that is licensed under Wis. Stat. § 48.62, or an adult family home certified under Wis. Stat. § 50.032 (1m)(b) shall be a permitted use in all residentially zoned areas and are not subject to subsections 1. and 2. above except that foster homes operated by corporations, child welfare agencies, churches, associations, or public agencies shall be subject to subsections 1 and 2.
4. No adult family home described in Wis. Stat. §50.01(1)(b) may be established within 2,500 feet, or any lesser distance established by an ordinance of the Village, of any other adult family home described in Wis. Stat. §50.01(1)(b), or any Community Living Arrangement. An agent of an adult family home described in Wis. Stat. §50.01(1)(b) may apply for an exception to this requirement, and the exception may be granted at the discretion of the Village.
5. There shall be no maximum to the number of Community Living Arrangement facilities, except as other performance standards may indirectly establish a limit.
6. Minimum Required Off-Street Parking: three spaces, plus one space for every three residents over eight residents (except for those residents under 16 years of age and otherwise without the ability to drive).

**Section 94.4.05: Commercial Land Use Types**

(1) **Office.**

Includes all exclusively indoor land uses whose primary functions are the handling of information, administrative services, or both, generally with little direct service to customers on-site. Office uses that are accessory to a principal residential use of a property are not considered “Office” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(2) **Personal or Professional Service.**

Exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples include professional services, banks, insurance or financial services, realty offices, medical offices and clinics, veterinary clinics, barber shops, and beauty shops. Service uses that are accessory to a principal residential use of a property are not considered “Personal or Professional Service” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(3) **Artisan Studio.**

A building or portion thereof used for the preparation, display, and sale of individually crafted artwork, photography, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven sections, and related items, and occupied by no more than five artists or artisans. Uses occupied by more than five artists or artisans shall be considered a “Light Industrial” use under Section 94.4.08(1). Studios that are accessory to a principal residential use of a property are not considered “Artisan Studio” uses, but are instead regulated as home occupations under this chapter.

**Performance Standards:**

1. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

(4) **Group Day Care Center.**

A land use in which licensed persons and facilities provide child care services for nine or more children, such as day care centers, pre-schools, and nursery schools. Such land uses may be operated as a stand-alone use, or in conjunction with another principal land use on the same site such as a church, primary school, business, or civic organization. Any child care facility located on the same site as a principal land use, and that is reserved solely for the use of company employees and their guests on the same site, are instead regulated as a “Company Provided On-Site Recreation or Child Care” accessory use.

**Performance Standards:**

1. No Group Day Care Center shall be located within a building that is also occupied as a residence.
2. Minimum Required Off-Street Parking: one space per five students, plus one space for each employee on the largest work shift.

(5) **Indoor Sales or Service.**

Includes all land uses, except as otherwise separately listed in this Section, that conduct or display sales or rental merchandise or equipment, or that conduct non-personal or non-professional services, entirely within an enclosed building. This includes a wide variety of retail stores and commercial service uses not otherwise listed in this Chapter, along with self-service facilities such as coin-operated laundromats. Includes uses like retail bakeries and delis where the consumption of products typically occurs off-site, but does not include restaurants, which are instead classified as “Indoor Commercial Entertainment” uses. Display of products outside of an enclosed building shall be considered an “Outdoor Display Incidental to Indoor Sales” accessory use, or, if outdoor sales exceed 15 percent of the total sales area of the building(s) on the property, an “Outdoor Display” principal land use. Sales or service uses that are accessory to a principal residential use of a property are not considered “Indoor Sales or Service” uses, but are instead regulated as “Home Occupations” or “Residential Businesses” under this chapter. Does not include any “Commercial Animal Establishment” use.

**Performance Standards:**

1. Use may also be subject to conditional use permit requirements and adherence to performance, building design, and site design standards in Section 94.10.06 if classified as a “Large Retail and Commercial Service Development” under Section 94.10.04. However, following initial conditional use permit approval, individual “Indoor Sales or Service” uses may occupy the constructed spaces without the need for a further conditional use permit.
2. Minimum Required Off-Street Parking: one space per 300 square feet of Gross Floor Area.

8. Wherever practical in the determination of the Zoning Administrator, public roadway access shall be shared, and cross-access driveways and pedestrian ways shall be provided, between adjoining properties.
9. All utility systems including, but not limited to water, electric, gas, sewer, storm water, telephone, fiber optics servicing the site, shall be installed underground.
10. Wall and fences between the street side landscaping area and the building shall not exceed 3 feet in height unless used to screen public plazas, patios, outdoor dining areas or similar permitted outdoor uses in conformance with Section 94.4.05(11). Materials and design of all walls and fences shall be consistent with the architectural theme and materials of the building.
11. Materials and design of all walls, fences, refuse and recycling enclosures, signs, and exterior lighting shall be unified across the site and consistent with the architectural theme of the building. No wall, fence, or enclosure shall exceed 6 feet in height. Roofed enclosures may exceed this limit, but shall be no higher than 10 feet in height.
12. If specified in an adopted element of the Village's Comprehensive Plan for the particular geographic area in which the development is proposed, building, site, landscaping and other design components of the proposed development shall conform to the standards in that Comprehensive Plan element.
13. The Plan Commission may approve a waiver or modification to one or more of the above requirements where it finds such requirement(s) would create practical difficulties in the development of the site and compensating design elements are incorporated.

(d) *D-WM Weston Marketplace Overlay*. Design requirements are included within the Schofield Avenue Lifestyle Center Master Plan, dated October 19, 2006, amendments made to the Weston Center Master Plan, dated November 6, 2013 and now known as the Weston Marketplace Master Plan and as such plan may be amended or supplemented from time to time by the Plan Commission under the site plan approval procedures in Section 94.16.09. All future buildings depicted in such plan shall utilize materials, architectural design, and signage that are consistent with those used on the constructed "Retail Center #1" in such Plan. The areas around such buildings shall be landscaped in accordance with such Plan.

*D-R Renaissance Development Overlay*. Design requirements are included within the Renaissance Development Plan, dated December 19, 2007 and as such plan may be amended or supplemented from time to time by the Plan Commission under the site plan approval procedures in Section 94.16.09. [Amended via Ord. 15-005, 5/22/2015]

### **Section 94.6.03: WHP Wellhead Protection Area Overlay District**

- (1) **Description and Purpose.** The Village depends exclusively on ground water for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade ground water quality. The purpose of this Section is to institute land use regulations and restrictions to protect the Village's municipal water supply and well fields, and to promote the public health, safety, and general welfare of the residents, employees, and visitors of the Village. The restrictions imposed in this Section are in addition to those of the underlying standard zoning district or any other provisions of this Chapter. This section is established under the authority of Wis. Stat. § 62.23(7)(a) and (c) and Wis. Admin Code NR Chapter 811.
- (2) **Wellhead Protection Area Overlay District Boundaries.** The regulations of this Section shall apply to land within Wellhead Protection Area district boundaries mapped as "WHP" on the Official Zoning Map and/or Official Overlay Zoning Map. The WHP district is further divided into WHP-A and WHP-B, on the Map, indicating different zones of groundwater contribution to the associated well. WHP-A indicates one year time of travel to the wellhead (Zone A); WHP-B indicates five year time of travel (Zone B). The