

Village of Roberts
Special Plan Commission Meeting
Thursday, August 26, 2021

Meeting was called to order at 6:00 PM by President Moeri

Meeting was properly noticed.

Present: Willard Moeri, Jerry Weiss, Helen Kusilek, Katy Kapaun, Cheryl Johnson, Steve Melby, Ethan LaMirande

Absent:

Guest: Jerry Mueller, Brian Zelenak, David Olsen, Scot Samelstad, Ron Stave, Tim Johnson, Dan Funk, Mary Grupe, Angi Goodwin – Ayres, Peter Tharp, Paul Mahler – Bakke Norman.

Public Hearing:

Open Public Hearing regarding the proposed text amendments to the following Village of Roberts Ordinances:

- To amend Section 70-127(5)a., and 70-128(5)a to amend the Building height and size for M-2 Light Industrial District and M-3 General Industrial District
- To amend Section 70-8 to amend the definition of fence (common) and to add the definition of Fence, security to section 70-8.
- To amend Section 70-127 to add Permitted principal use (1)f to the M-2 Light Industrial District.
- To amend Section 70-42(f) Accessory use and structure setbacks requirements to amend the height of security fences in Institutional Districts
- To amend Section 70-227 (5) – Wayfinding Signs, 70-227 (10) – Projecting and Ground Signs and 70-227 (11) and Wall Signs

Tharp said that there had been no discussion on ordinance changes until after Mallard had come forward. You have zoning but there has been no discussion on what ordinances you want to apply to the zoning areas. Tharp objects to changing them at this time. Goodwin stated that we are making changes because of what has happened in the past and also sat down with the planner and this is where the ordinance changes are coming from.

Jerry Weiss asked about a fence on Mallard's site plan and it being proposed at 8 feet galvanized fence and a solid privacy fence is 8 feet. Goodwin said her understanding is that it is 8 feet high.

Tharp asked if all the members received the email from Tom Kamenick. LaMirande said it does not really apply to this it pertains to more of a TID/TIF. This is a general meeting.

Close the public hearing concerning the proposed text amendments:

Motion to close the public hearing concerning the proposed text amendments at 6:08 PM by Johnson, seconded by Melby. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Opened the public hearing regarding the Rezoning request for property owned by Crane I Holdings, LLC from B-3 General Business to M-2 Light Industrial for the property located at xxx Highway 65, Roberts, WI at 6:08 PM.

Goodwin discussed that this request needs to be contingent on the amendment to the Comprehensive Plan Future Land Use Map change. Kapaun asked why we are not waiting for the comp plan to get worked out?

Close Public Hearing for rezoning request for Crane I Holdings, LLC.

Motion to close the public hearing at 6:12 PM by Kapaun, seconded by Johnson. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Review/recommend the following Code Amendments to the Village of Roberts:

Ordinance #4-2021 to amend Section 70-127(5)a., and 70-128(5)a to amend the building height and size for M-2 Light Industrial and M-3 General Industrial Districts.

- Kapaun asked for clarification on this item. Goodwin said that the maximum height right now is 35 feet and other businesses have not been able to meet this height. Recommending to change from 45 to 60 feet with enhanced architectural design requirements. The Plan Commission can make the decision on what this is. LaMirande asked about fire truck. What kind of building would be 65 feet? Moeri said every time it is over 45 feet it is eaten up by machinery or overhead cranes or the heating and cooling systems are put on the roof which adds to this. Which means

this goes back to the Zoning Board of appeals. Goodwin added that going from 35 to 45 feet is pretty standard and new businesses have wanted over 35 feet. This keeps it in the control of the Plan Commissioners instead of sending it to Zoning Board of Appeals which leaves it pretty open with no background information. Goodwin did research on what the neighboring communities have for building height. Yellow highlights are what is compared to light industrial zoning. Not consistent. Moeri asked about barn height and county ordinances. Mahler said there are exemptions for this.

- Motion to approve Ordinance #4-2021 to amend Section 70-127(5)a., and 70-128(5)a to amend the building height and size for M-2 Light Industrial and M-3 General Industrial District by Johnson, seconded by LaMirande. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – no. Motion carried.

Ordinance #5-2021 to amend Section 70-8 to amend the definition of fence (common) and to add the definition of Fence, security to section 70-8

- This one was missing the definition of security fence. Trying to clear up heights for the various districts.
- Motion to approve Ordinance #5-2021 to amend Section 70-8 to amend the definition of fence (common) and to add the definition of fence, security to section 70-8 by Kapaun, seconded by Johnson. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Ordinance #6-2021 to add Permitted principal use to add (1)f to the M-2 Light Industrial District

- This was to clarify the wording in the ordinance whether a warehouse would be permitted if it was not related to manufacturing. Tried to clear up ordinances as we see issues coming up or wording needing clarification. Weiss asked if this would have come to life if Mallard would not have come in. So yes, there is a real-life example of this. It doesn't not allow it but it was not clear.
- Motion to approve Ordinance #6-2021 to add permitted principal use to add (1)f to the M-2 Light Industrial District code by Melby, seconded by LaMirande. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Ordinance #7-2021 to amend Section 70-42(f) Accessory use and structure setbacks requirements to amend the height of security fences in Institutional Districts

- Previous ordinance created the definition of security fence and this is to say why it is needed. This is only for Institutional Districts.
- Motion to approve Ordinance #7-2021 to amend Section 70-42(f) Accessory use and structure setback requirements to amend the height of security fences in Institutional Districts by Kapaun, seconded by Johnson. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Ordinance #8-2021 to amend Section 70-227(5) – Wayfinding signs, Section 70-227(10) – Projecting and ground sign and 70-227(11) – Wall signs.

- Again, this is being driven by Project Mallard and 1880 to look at the sign ordinance and modernize it. Past variances by Zoning Board of Appeals for sign requirements. Goodwin said we went thru these in detail before. Weiss asked when they take out a permit for signs and if this includes the parking and fence signs. Tim Johnson asked if this includes trailers with a sign on the side of it. Goodwin added that Municode.com is a good tool to find this information.
- Motion to approve Ordinance #8-2021 to amend Section 70-227(5) – Wayfinding signs, Section 70-227(10) – Projecting and ground sign and 70-227(11) – Wall signs by Johnson, seconded by Melby. Roll call: Kusilek – yes, Kapaun – yes. LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Review/recommend to rezone the property owned by Crane I Holdings, LLC from B-3 General Business to M-2 Light Industrial for property located at xxx Highway 65, Roberts.

- Weiss said making it contingent on Mallard project and Goodwin clarified that it should be contingent on Comp Plan Future Land Use Map and the Mallard Site Plan approval. Patty Johnson said that on her drive this weekend she stopped at every exit and you hit commercial and not light industrial. Two exits in Woodbury are mostly commercial. Also looked at Hudson, Menomonie, Eau Claire, etc. is the same way. We are giving this space up and when we are changing this, we should be looking at making changes to the other zoning also. Really want us to be looking more holistically. Johnson said that she has a voice during public hearings but she is giving vote to the committee to make the right decision. Be contentious about long term ramifications to our community. Tharp agrees with Johnson. Weiss said that Johnson has a legitimate statement tonight. Would guarantee that we would change to accommodate to make the change for who comes here. Johnson wants us to be proactive instead of reactive.
- Motion to table this until a decision on the Mallard Project rather than changing it back by Weiss. Discussion continued. Long range plan with the township – Mallard Project donated \$100,000 to redo the long-range plan and are

we getting a like kind match. Intent of this is to use it in conjunction for the update. Clarification was asked regarding this. Moeri also stated he has discussed this with Geno and will get an answer on this. This should be an extra cost that Ryan should bear and Moeri thinks that the TID should pay for this. Sweeten. Weiss asked what happens if the project is declined. The TID is not dependent on Mallard, area will develop slower and time frame starts from when you create the TID and loss potential revenue. Why does the TID pay for expenses created solely for the Mallard project? Why should these be part when this is our tax payer money? This money is solely being spent because of mallard. This is money solely from Mallard? Mahler added that without Mallard the money is not there for a new water tower, and future infrastructure. Moeri said he had a discussion with the State DOT and waiting on the funding for this to come in and this business is funding the upgrades thru the TID and this seems unfair because the upgrade would have been paid for by the State. Is the State willing to kick anything in towards this? There are T-grants out there that can be applied for. Upgrades are 2026 or 2027 and this is only if there is funding by this time. They wouldn't kick in anything unless it came thru a grant. Weiss asked if we wait until 2027 the State will pay for this if the funding is there and for the demand that Ryan is creating, they want \$7 million for this intersection. This will be a discussion at a future meeting. Johnson asked if the TID draft has been updated. Johnson is willing to help with making changes to zoning or help on a committee if needed. Kapaun asked if this would satisfy the public hearing for the rezoning request, and it does.

- Motion to table this until a decision on the Mallard Project is made by Weiss, seconded by Kapaun. Roll call: Kusilek – yes, Kapaun – yes, LaMirande – yes, Moeri – yes, Johnson – yes, Melby – yes, Weiss – yes. Motion carried.

Motion to adjourn at 7:00 PM by Johnson, seconded by Kusilek. Motion carried.

Megan Dull
Village Clerk