

**City of Oconomowoc
Architectural Commission Meeting Minutes
January 9, 2019**

Chairman Johnson called the meeting to order at 5:00 pm.

Members Present: Paul Schultz, Kurt Schrang, Kent Johnson and Anne Krogstad
Members Excused: Jeremy Flint
Staff Present: Jason Gallo, Kristi Weber, Mayor Nold, Sarah Kitsebel, Ald. Charlie Shaw, Ald. Derek Zwart, Ald. Lou Kowieski, Atty. Stan Riffle, Jim Pfister, Mark Frye and Chris Dehnert

2. Approve the December 12, 2018 Minutes: Motion by Schrang to approve the December 12, 2018 minutes; second by Schultz. Motion carried 4-0.

3. Whitman Park Shopping Center – Consider/approve a Master Sign Plan for 1021-1111 Summit Avenue:

Weber explained this retail development consists of 17 commercial tenants including Walgreens and Valvoline which are stand-alone buildings. They did not previously have a formal master sign plan but operated under established guidelines. Staff worked with the owner on creating a Master Sign Plan which includes that signs must be aluminum channel letters with black returns; mostly red faces but with a portion of the sign face being either white or black; raceway to match the building (SW 6101 Sands of Time); and all signs to be reviewed and approved by the landlord and City staff. Weber suggests adding language that the maximum letter height may be 36" in single or double lines, and corporate logos, etc. in any color are allowed in conjunction with text when the logo is part of a corporate identity. Josh Brown of Sign Affects agreed with staff's suggestions, and members had no issue with this request. Motion by Schultz to approve the Master Sign Plan for the Whitman Park Shopping Center at 1021-1111 Summit Avenue as submitted and adding that the maximum letter height is to be 36 inches in a single or double line; and corporate logos, crests or shields of any color may be used in conjunction with text when a logo is a part of a corporate identity, may exceed 8" above the maximum overall letter height used and are to be included in square footage calculations; second by Krogstad. Motion carried 4-0.

4. Summit Center Marketplace – Consider/approve a Special Exception for a Digital Ground Sign at 1300 Summit Avenue:

Weber explained this retail development has a Master Sign Plan that was previously approved by the Architectural Commission. This request is to remove their existing legal non-conforming ground sign and replace it with a larger sign and digital reader board. The existing sign is 98 sf, and they want to increase it to 122 sf due to the sign being set back on WIS 67. The current digital reader board is being replaced with a larger unit which is still within Zoning Code requirements. The applicant intends to keep the existing monument base and metal spires. Weber noted the original sign face included logo's which is acceptable since they were on the old sign. She requested the logos be white and a decorative topper be included on the sign. Monica Schneider of Appleton Sign Co. handed out an updated drawing of the sign with a new decorative topper on the top. Members questioned the sign's height and color palette. Weber said a special exception is required due to the sign's height, and Schneider said the sign will be gray with white letters and red text on the reader board. Motion by Krogstad to approve a Special Exception for a digital ground sign for the Summit Center Marketplace at 1300 Summit Avenue with the new design with the sign topper, the option to include spires on the base as shown, and logos are to be white; second by Schrang. Motion carried 4-0.

5. WaterView Condominiums – Consider/approve Building Plans at 517 – 525 N. Lake Road: Johnson announced there is no public hearing this evening. City Attorney Riffle explained Planning staff contacted him to get insight on the recent proposal for this development. Riffle said the Wisconsin Legislature changed the law governing conditional use permits which also includes special zoning districts. Based on this legislation (Wis Stats 62.23(7)(de)) and the nature of the special design standards that have already been established for the Isthmus

zoning district, Riffle said this makes the Architectural Commission a quasi-judicial board due to the location of this project in this zoning district. The members are to decide if the project meets the standards as set forth in the zoning code for the Isthmus district and depending upon their decision, the applicant would have the right to appeal the decision to the Plan Commission. This legislation requires a public hearing be held, and staff is not prepared to hold a hearing this evening as the meeting was not noticed for a hearing. Riffle said all procedural requirements for a hearing will have to be done, and he requested a court reporter also be present for the hearing. He noted the board must hold a proper hearing and members must not have made a predetermination of the proposed project. Riffle said one member has already given staff their opinion of the proposed building and indicated how they would vote. Since this person has already made up their mind on the project, they cannot hear this issue or vote on it. Riffle noted members have already been contacted on this project, and he is concerned for due process for the applicant. Per Section 17.204 in the Zoning Code the Architectural Commission or Zoning Administrator may seek the opinion of experts to determine the degree to which proposed development reflects the standards set forth in this section. Riffle recommended the members discuss the option to appoint an expert to assist them in making this determination which the members agreed. He said they are being asked to act as a jury and explained the process and criteria for moving forward. Gallo questioned if they hire an expert, can this individual have access to all correspondence on the project. Riffle said this is up to the expert, but they will have to be open to anything or anyone to properly come to a recommendation. The expert should also have additional resources and will need time to review all the information provided on the project. Riffle said if the members can't be impartial, then someone else will need to be appointed to act in their place. He then asked the Architectural members if any of them had made a predetermination of the project already. Two members indicated they have already received a large packet of information regarding the project; it's a difficult position to be in due to being involved in business, and with family and friends in the community; and admitted they probably have already made a predetermination of the project. The remaining two members said their job is to make sure the project meets design and zoning code requirements; they were not sure if they can make a proper decision that will satisfy everyone; and due to two people not being able to serve, realized the Architectural Commission is not in the position to act on this project. Riffle said with two members feeling partial, two not being able to fairly and impartially judge both sides and one who has already made a determination, he believes the members should direct the Zoning Administrator and City Attorney to authorize another authority to ensure that a hearing be held in compliance with zoning law. Motion by Johnson to allow the Zoning Administrator for the City to follow the direction given by the City Attorney to hire an expert to hear all of the facts and make an impartial recommendation on whether the plans for the WaterView Condominiums at 517 – 525 N Lake Road comply with the standards of the Isthmus zoning district; second by Schrang. Motion carried 4-0. Riffle thanked the members for their candor. Gallo said there will be a public hearing, but it will not be able to be held in time for the February meeting.

6. Reports and comments from the City Planner: None.

7. Reports and comments from the Architectural Commissioners: None.

8. Adjourn: Motion by Schrang to adjourn at 5:48 pm; second by Schultz. Motion carried 4-0.

Chris Dehnert, Deputy City Clerk