

City of Plymouth Plan Commission

OFFICIAL MINUTES

NOVEMBER 7, 2024

Mayor Don Pohlman called the meeting to order at 6:00 PM on November 7, 2024. The following members were present Jane Meyer, Jeremy Schellin, Greg Hildebrand, Ron Nicolaus, John Wyatt, and Justin Schmitz. Also present: City Administrator/Utilities Manager Tim Blakeslee, City Clerk Anna Voigt.

- 1.) **Approval of Minutes from October 3, 2024:** Motion was made by Nicolaus/Schellin to approve the minutes from October with a suggestion from Wyatt to add full names instead of just last names. A unanimous aye vote was cast. Motion carried.
- 2.) **Site Plan seeking approval; 1 Persnickety Place, Plymouth, WI 53073, dba Sargento Cheese, for; a building addition, reconfiguration of current parking lot, construction of new parking lot, and reconstruction of public cul-de-sac (per prior development agreement). Davis/Excel (enclosure):** A representative from Sargento explained the proposal is an addition on to the current front of Lenord Gentine building. The proposal is to knock out the bump out that exists on the building and then add 9,100 square foot addition that would square out the building. It will be 2 stories. The parking will be configured to include ADA stalls with a total of 54 parking stalls. The cul-de-sac will be reconstructed per the development agreement. Pohlman asked Blakeslee for any staff comments. Blakeslee stated that in staff review the approval will be contingent on stormwater management plan and a public infrastructure plan of the public cul-de-sac. The applicants will be working directly with Director of Public Work/City Engineer Cathy Austin to confirm everything meets City's standards. Motion was made by Wyatt/Nicolas to approve the site plan contingent on the stormwater management plan and public infrastructure plan. Upon the call of the roll, all voted aye. Motion carried.
- 3.) **License Agreement seeking recommendation; Exclusive License Agreement For Nutt Ski Hill between City of Plymouth and Cheese Capital Winter Park Inc.:** Blakeslee explained that since 2014 Nut Ski Hill has not been operational. Cheese Capital Winter Park LLC (CCWP) has put together a plan to reestablish Nutt Ski Hill for winter activities. In 2023 CCWP presented the concept to the Committee of the Whole seeking feedback before further logistical and fundraising efforts. On April 2024 CCWP presented their updated concept to Committee of Whole. At the meeting on May 15, 2024 Common Council directed staff to negotiate a lease the CCWP. Staff has discussed the terms of the agreement with the Council. The direction from the meeting on October 29 is that the negotiated terms are agreeable to the CCWP and the Council. Blakeslee explained that Common Council has final approval the Plan Commission must review and provide a recommendation on leases of public property. Joe VanDerven from CCWP presented the plans for Nutt Ski Hill including have a tubing area and skiing area with a magic carpet up the middle. Schellin asked if the magic carpet would be used for both the skiers and tubing. VanDerven stated yes. VanDerven asked if there would be anything at the bottom of the hill as a collection point or someway to manage lines. VanDerven stated there would be snow fence or something temporary to manage the traffic flow. The group would like to open for the winter 2025/2026. Blakeslee added this is an Exclusive License Agreement, granting CCWP exclusive rights to utilize the ski hill during the agreement period. CCWP is responsible for improvements to the Ski Hill. The City retains ownership of fixed

improvements, while CCWP retains ownership of equipment as outlined. Snow making equipment is property of CCWP. The hill may be open during normal park hours unless alternative hours are approved by the City Administrator. CCWP may rent the property to third-party groups and decide on the fees to be charged for the hill. CCWP may make snow 15 days per year as needed, and may make snow and groom during City Park hours and up to 1 hour after park closure. Lighting shall be turned off one hour after park closure. Snow making may include lights on the groomer or snowmobile. Liens may not be placed against the Ski Hill. CCWP will remove snow from walking areas and parking lot. CCWP will receive a stipend of \$11,000 per year as City support. Noise needs to comply with city code. The City Forester will inventory existing trees on the Ski Hill and approve tree removal. For each live tree with a 3-inch caliper removed, CCWP will replace with a 1-1.5 caliper tree. CCWP may use Nutt Hill in marketing materials, grant sponsorships rights to the Ski Hill, and construct signage. Motion was made by Hildebrand/Nicolaus to recommend Council approve the Nutt Ski Hill Exclusive License with Cheese Capital Winter Park LLC. Hildebrand asked what the name was going to be on the sign. VanDerven answered Nutt Ski Hill. Nicolaus asked where the ice rank was going to go. VanDerven stated that was in phase 2 and up by the parking lot. Schellin asked what the perimeter of the area was going to be. VanDerven stated there wasn't going to be one, there will be a security camera. Wyatt asked if there will be anything to deter people from going on private property. VanDerven there will potentially be some snow fencing, but most properties already have fencing. They also want to be conscious that they may not want to be looking at snow fencing. It was mentioned to put a berm up and residence asked them not to put a berm. Upon the call of the roll, all voted aye. Motion carried.

- 4.) Ordinance Amendment seeking recommendation; Modifications amending Section 13-1-28 - High Density R6-Multi-Family Residential District:** Blakeslee explained that this Ordinance has come to the Plan Commission a few times. The R6 district was created back in March, had minor tweaks in April. Since a district was created staff has been finding out different ways developers and building designers want to use the district. What the City is finding is the 600 minimum square per dwelling unit is very strict. The city has heard they may want to do multiple floors that are smaller than that, or small studio unit. Blakeslee did a review of other municipalities commonly 500 to 550 sq ft. Proposed change is to say average of 600 sq. ft. per dwelling unit would provide some flexibility but didn't want to permit extremely small units. A minimum of 500 sq. ft. is the smallest a unit can be or unit per floor. The goal is to not have a bunch of extremely small studio units, but this provides flexibility for developers. Wyatt asked if this was similar to other communities and their requirements. Blakeslee confirmed this is very similar to other communities. Motion was made by Nicolaus/Schellin to recommend Council approve Ordinance Amending Section 13-1-28 High Density R-6 Multi-Family Residential District. Nicolaus asked if this included garages. Blakeslee stated that this is only living space. Upon the call of the roll, all voted aye. Motion carried.
- 5.) Ordinance Amendment seeking recommendation; Modifications of Section 13-1-193 regarding voting on zoning code amendments:** Blakeslee explained that this is a clean up item. In 2023 Wis. Act 16 state legislature basically enacted a requirement that communities can no longer have protest petition ordinance except for some specific requirements that is called a down zoning, when you are going from a higher density to a lower density or for an airport. Attorney Fieber has drafted an ordinance that removes the protest petition requirements. This would take effect on January 1, 2025. Motion was made by Wyatt/Hildebrand to recommend Council approve Ordinance 13-1-193 regarding voting on zoning code amendments. Upon the call of the roll, all voted aye. Motion carried.

- 6.) Ordinance Amendment seeking recommendation; Modifications of Section 13-1-105 regarding political message signs.:** Blakeslee explained the US Supreme Court invalidated a sign ordinance that regulated the content of certain political signs as a violation of the First Amendment free speech in Reed V. Town of Gilbert. As a result of the Reed decision, the City of Plymouth must update its zoning code. Although the State of Wisconsin has not repealed Wis Stat. 12.04, which governs political message communication at the state level, the statute's validity is now uncertain. There were some questions about political signs during the recent election and Attorney Fieber's recommendation is to repeal 13-1-105, which specifically regulates political signs. And updated 13-1-104 to allow each residential property up to three signs during election campaign periods. City is allowed to regulate number of signs, total signage size and display period, provided content is not regulated. This code would create an election campaign period, which designates a period of time in which people can have up to 3 signs, which what it is now, but the code will remove any content regulations. You could have tree signs for a craft fair during that time period. Motion was made by Schmitz/Niclaus to recommend Council approve Ordinance Modifications of Section 13-1-105 regarding political message signs. Schellin asked if the signs can be regulated on any content like public decency. Blakeslee stated can't be regulate on what the content is, but he would look to see if there is anything for public decency. Schellin stated he just wants to make sure the City could do something if there was a sign that was clearly over the line. Mayor Pohlman added there was always restrictions on content that had four letter words. Wyatt asked for clarification if they could be anything doesn't have to be political in nature. Blakeslee stated it could be anything. Blakeslee added their immoral signs are listed under prohibited sign in the municipal code. Upon the call of the roll, all voted aye, Meyer abstained. Motion carried.
- 7.) Communication – Letters, E-mails, or reports Related to the Plan Commission** (Chairman, Secretary, Plan Commission Members, City of Plymouth Staff/Alderpersons): Blakeslee informed the Commission the Wangard Development Agreement was finalized at Common Council.
- 8.)** Motion was made by Wyatt/Nicolaus to adjourn the meeting. A unanimous aye vote was cast. Motion carried.