



## MINUTES OF AN OFFICIAL MEETING

Regular Meeting of:	Plan Review Board
Date and Time:	Thursday, April 22, 2021 at 4:30 pm
Location:	Council Chambers, City Hall, 2000 N. Calhoun Road, Brookfield WI 53005
Members Present:	Mayor Steve Ponto (Chair), Alderman Mark Nelson, Commissioner Lisa Chang (via phone)
Members Excused:	None
Others Present:	Associate Planner Richard VanDerWal, Economic Development Coordinator Todd Willis, Administration & Licensing Clerk Mary Schulz

### 1. **Roll Call**

Mayor Ponto called the Plan Review Board meeting to order at 4:32 p.m. A quorum was present.

### 2. **Announcements**

- a. Approval of these items must also be given at the regular Plan Commission meeting of May 10, 2021 and the Common Council meeting of May 18, 2021.
- b. The next regularly scheduled Plan Review Board meeting will be held on May 20, 2021.

### 3. **New Business**

#### a. **James Bentz: sports court**

Request of James Bentz, for approval of a sports court at 16860 Fairview Court, Brookfield.

Richard VanDerWal reported:

1. The proposed sport court is 64' x 34' and is located in the rear yard.
2. The applicant is proposing two light poles. The poles are 20'. The applicant has provided a lighting plan and photometric plan. The illumination is concentrated on the court, and not the overall yard.
3. The court is located 65' from the North property line and 45' from the East property line.

4. The principal use for the court is a Pickleball court (smaller than a tennis court).
5. The property has mature trees which screen the court in all areas but the Northeast corner where there is a gap.
6. At this time, there is no fencing planned. Given its planned usage, there should be no issues with balls making it to neighboring properties.

Staff recommends approval subject to installation of landscaping at Northeast corner of property (or along North side of actual court). Also, subject to hours of operation and noise regulations, as described in section 15.04.360 D and E of the municipal code.

Mr. VanDerWal stated he received an email from the applicant indicating they will plant the trees needed for screening as outlined. Alderman Nelson noted that three to four trees could be planted for screening. He asked if the municipal code required fencing around the sports court. Mr. VanDerWal replied 'no'; if a fence was required, the city would control the requirements. Alderman Nelson questioned hours and noise issues. Mr. VanDerWal said the request falls within the noise ordinance. Regarding hours of use, the court cannot be used prior to 7:00 a.m. and after 10:00 p.m.

**Motion by Alderman Nelson, seconded by Commissioner Chang, to approve the sports court at 16860 Fairview Court, Brookfield. Motion carried 3-0.**

**b. Saloon on Calhoun: temporary use permit**

Request of Dave Dayler, Saloon on Calhoun, for approval of a temporary use permit to conduct Saloonfest 2 at 17000 W. Capitol Drive, Brookfield.

Richard VanDerWal reported:

1. The proposed event is a 10 days of live music, June 24<sup>th</sup> through July 3<sup>rd</sup>.
2. Live music will be performed both inside the venue and outside from a stage
3. Anticipated attendance is 200-800 each day
4. Parking is available in the lot and the adjoining property. Mr. Dayler has a parking agreement with that property owner for overflow.
5. Restrooms will be available in the main building as well as three portable restrooms in the parking lot.
6. Hours of operation will be 4:00 p.m. to 9:00 pm on Sunday through Thursday, and until 10 pm on Fridays and Saturdays
7. A temporary fence will be placed around the stage area and the hill. Access to this area will come from the building only.
8. The stage faces the hill to the Southwest of the Saloon. The hill will be used as a seating area for customers and sound engineering has been studied to minimize volume. The intention is to not hear the sound outside of their area. The organizer also intends to use more subdued artists performing during the week.

Staff recommends approval subject to Fire and Police recommendations. The applicant believes they can conduct a multi-day event without causing disturbance to the neighborhood. If events become problematic because sound or disturbance, the temporary use permit may be voided.

Dave and Jennine Dayler, applicants, appeared before the board of comments and/or questions.

Alderman Nelson noted that initially the police had a problem with parking but that has been resolved. Regarding noise issues, the bands will be playing towards the intersection of Calhoun Road and Capitol Drive. He added that if there are any issues/problems with noise, the temporary use permit could be voided. If this is approved and there are problems, the city has the right to shut down the event. Mr. VanDerWal noted this approval is for the event itself and the alcohol portion must be approved by the Legislative and Licensing Committee. He stressed that if the board approves this event, the approval is for the event only and not the serving of alcohol during the event.

Todd Willis explained that in 2020, due to COVID, the city created a temporary premise extension, which allowed businesses to utilize parking spaces or outdoor areas from their normal business operations to conduct business to limit capacity, where people felt safer in open environments. In doing this, we also created a temporary premise extension – events. The event itself comes to the Plan Review Board for sound, music, etc. which is approved by the Plan Review Board, Plan Commission and Common Council, respectively. The premise extension, regarding serving of alcohol, goes to the Legislative & Licensing Committee and Common Council for approval.

Alderman Nelson questioned if patrons would be going through the business to get to the fenced-in grass area. Mr. Dayler stated ‘yes’. He added there would be a beer trailer and smoker inside the fenced area; no carry-ins are allowed. There will be security at every entry point and they will self-police. The sound system is called Line Array, which throws sound in a specific line. The sound waves are in a direct path and the speakers are raised up and aimed down towards the hill.

Alderman Nelson said he is in favor of the event as it will be good for the community. People have options to go to other outdoor events, other than Summerfest. He questioned if the number of people would be limited. Mr. Willis stated the occupancy is limited to the number of restrooms the business has, which is sufficient. Mr. Dayler added that there is a cover charge for the event to pay for the bands. He plans to advertise on the radio, in the newspaper and on social media. Alderman Nelson suggested the applicants notify the surrounding neighbors of the event.

Commissioner Chang wanted clarification on the event hours. Mr. Dayler stated he agreed to end the event hours outside to 10:00 p.m. Friday and Saturday and 9:00 p.m. Sunday through Thursday; possibly 8:00 p.m. on Sunday.

**Motion by Commissioner Chang, seconded by Alderman Nelson, to approve a temporary use permit to conduct Saloonfest 2 at 17000 W. Capitol Drive, Brookfield. Motion carried 3-0**

#### **4. Adjournment**

**Motion by Alderman Nelson, seconded by Commissioner Chang to adjourn the Plan Review Board meeting at 4:52 p.m. Motion carried 3-0.**

MINUTES RESPECTFULLY SUBMITTED BY MARY SCHULZ, ADMINISTRATION & LICENSING CLERK