

Ordinance No. O4-3-24
Amending Resch Expo and Resch Center Signage

ORDINANCE NO. O4-3-24

**AN ORDINANCE AMENDING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT FOR
THE RESCH EXPO AND RESCH CENTER PARCEL VA-41-6 AND VA-41-7**

THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON DOES ORDAIN AS FOLLOWS:

WHEREAS, Developers have requested a proposed amendment to revise signage of an existing Planned Unit Development (PUD) Overlay Zoning District (Ordinance No. O5-3-19 adopted May 28, 2019 and Amended Ordinance No. O3-1-20 adopted March 24, 2020) for Parcels VA-41-6 and VA-41-7, Village of Ashwaubenon, Wisconsin; and

WHEREAS, the Plan Commission has reviewed the Preliminary Development Plan and other submittals for the proposed amendment to revise the signage of the existing Planned Unit Development in accordance with Section 17-2-600, PUD Review Procedure of the Village of Ashwaubenon Municipal Code; and

WHEREAS, the Village Board of Trustees of the Village of Ashwaubenon has received the recommendation of the Village Plan Commission approving the proposed amendment to revise the signage of the existing Planned Unit Development Overlay District of the property described below and has scheduled a public hearing on the matter then to be decided by the Village Board of Trustees; and

WHEREAS, the Village Clerk has published a Notice of Public Hearing regarding the proposed amendment to revise the signage of the existing Planned Unit Development Overlay District and has maintained at her office during regular business hours the PUD Zoning Overlay Amendment-Signage Map for the specific property recommended for amendment to change the signage of the existing Planned Unit Development Overlay Zoning;

WHEREAS, pursuant to the above-mentioned notice, a public hearing has been held at the Village Hall on the 23rd day of April, 2024 at 6:00 p.m., whereupon the Village Board of Trustees heard all interested parties and/or their agents and attorneys;

NOW THEREFORE, the Village Board of Trustees of the Village of Ashwaubenon, does hereby ordain as follows:

SECTION 1. Pursuant to Section 17-2-600 PUD Review Procedure and Section 17-3-500(B)(6) Business Districts-Planned Unit Development (PUD), Ashwaubenon Municipal Code, together with the zoning map and statutory authority referred to therein, a Planned Unit Development (PUD) Overlay Zoning District is hereby created on the following described property (see map attached hereto as Exhibit A):

Parcel 1 (Parcel VA-41-6):

LOT 1 OF CSM 9071 IN 2863242 BNG PRT OF LOTS 9 & 10 MORRIS & BROMLEYS SUBD OF S1/2 OF PC 13 WSFR & BNG PRT OF PC 14 WSFR

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Parcel 2 (VA-41-7):

LOT 2 OF CSM 9071 IN 2863242 BNG PRT OF LOTS 9 & 10 MORRIS & BROMLEYS SUBD OF S1/2 OF PC 13 WSFR

The underlying Zoning District in the PUD is SE-Sports & Entertainment.

SECTION 2. That pursuant to Section 17-3-500(B)6) of the Ashwaubenon Municipal Code, as they apply, all of the following conditions are imposed:

1. General Conditions - All requirements of the underlying SE zoning and all other Village Code requirements shall be in effect unless specifically listed below. Lots 1 and 2 reference Exhibit B: Proposed Certified Survey Map
2. Lot 1 (Expo/Resch Center): Approximately 14.100 acres
 - a. Uses
 - i. Allowable uses on Lot 1 are an exposition center, arena, off-street parking, one storage building not to exceed 3,000 square feet, and ancillary uses to the Resch Exposition Center and/or Resch Center.
 - b. Building Heights
 - i. Shall not exceed 120' in height. Height greater than 120' shall require a conditional use permit from the Village of Ashwaubenon.
 - c. Setbacks
 - i. Setbacks shall comply with Chapter 17 of the Ashwaubenon Municipal Code for the Sports and Entertainment zoning district (SE)
 - d. Landscape
 - i. Landscape plan shall be approved by the Village of Ashwaubenon via Site Plan Review prior to occupancy permit.
 - e. Signage
 - i. Resch Center permanent signage existing as of the adoption of this ordinance is permitted
 - ii. Resch Center channel letters above the vestibule canopy

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- iii. One exterior electronic message center (EMC) not to exceed 860 square feet located on the Armed Forces Drive frontage of the Resch Expo.
 - 1. EMC shall be located on the far east side of the Armed Forces Way frontage.
 - 2. EMC shall be auto-dimmable based upon ambient light conditions.
 - 3. In event of EMC malfunction, screen shall revert to full black or turn off.
 - 4. EMC is permitted to contain words and/or graphics (such as snowflakes falling, clouds moving, flags, waving, etc.) Animation such as video is prohibited unless Resch Complex operator is holding an outdoor viewing event utilizing the EMC or a ticketed event is taking place within the Resch Expo or Resch Center. Video may be played for a period not to exceed one hour before and one hour after the ticketed event.
 - 5. Outdoor viewing events using the EMC for video shall require a special event permit be obtained from the Village of Ashwaubenon.
 - 6. EMC messages shall remain static for a period of no less than five seconds. Anything less than five seconds is considered to be flashing. Flashing messages are not permitted.
 - 7. Illuminance from the EMC shall not exceed 0.3 footcandles over ambient conditions at property lines at night.
 - 8. EMC shall revert to full black or be turned off if requested by Ashwaubenon Public Safety while responding to an incident in the vicinity or if necessary for traffic or safety purposes.
- iv. One media mesh not to exceed 825 square feet located on the S. Oneida Street frontage of the Resch Expo.
 - 1. Media mesh shall be auto-dimmable based upon ambient light conditions.

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2. In event of media mesh malfunction, media mesh shall turn off.
 3. Media mesh is permitted to contain words and/or graphics (such as snowflakes falling, clouds moving, flags, waving, etc.) Animation such as video is prohibited.
 4. Media mesh messages shall remain static for a period of no less than five seconds. Anything less than five seconds is considered to be flashing. Flashing messages are not permitted.
 5. Illuminance from the media mesh shall not exceed 0.3 footcandles over ambient conditions at property lines at night.
 6. Media mesh shall be turned off if requested by Ashwaubenon Public Safety while responding to an incident in the vicinity or if necessary for traffic or safety purposes.
- v. One electronic message center (EMC) not to exceed 110 square feet located on Resch Center vestibule fascia and must meet conditions of 1-6 of media mesh signage.
- vi. Wall Signs
1. North Elevation (Lombardi Frontage)
 - a. One wall sign not to exceed 200 square feet.
 2. West Elevation (S. Oneida Frontage)
 - a. Up to two wall signs not to exceed a total of 185 square feet.
 3. South Elevation (Armed Forces Drive Frontage)
 - a. Up to two wall signs not to exceed a total of 210 square feet.
- vii. Plaza Signs
1. One two-sided monument sign not to exceed 4 feet in height or 40 square feet fronting on Armed Forces Drive. 40 square feet does not include concrete base of monument sign.

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viii. Temporary signage

1. Any temporary signage larger than 32 square feet shall require review and approval by the Site Plan Review Committee and a permit from the Village of Ashwaubenon.

f. Lighting

- i. Lighting plan shall be approved by the Village of Ashwaubenon via Site Plan Review prior to occupancy permit.

3. Lot 2 (Other Use): Approximately 1.157 acres

a. Uses

- i. Allowable uses on the subject site include hotel, restaurant, and accessory parking/parking structure.

b. Building Heights

- i. May not exceed 120' in height. Height greater than 120' shall require a conditional use permit from the Village of Ashwaubenon.

c. Setbacks

- i. Setbacks shall comply with Chapter 17 of the Ashwaubenon Municipal Code for the Sports and Entertainment zoning district (SE)

d. Signage

- i. Signage shall comply with the Stadium/Arena Business Sign Zoning District requirements.

e. Site Plan

- i. A site plan meeting the requirements of the Ashwaubenon Site Plan and Design Review requirements shall be submitted to and approved by the Village of Ashwaubenon.

SECTION 3. The provisions of this ordinance, including without limitation to all obligations, conditions, restrictions, and limitations related thereto, shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including without limitation any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

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SECTION 4. Each Exhibit which is attached to this ordinance is deemed to be and is expressly made a part of an incorporated into this ordinance to the same extent as if each such Exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the Village of Ashwaubenon, the Village may decline to issue any building or other permits otherwise required by any ordinance of this Village while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the Village of Ashwaubenon that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall take effect upon its adoption and publication. Approved and adopted this 23rd day of April, 2024.

VILLAGE OF ASHWAUBENON, WISCONSIN

By: _____
Mary Kardoskee, Village President

ATTEST:

Kris Teske, Clerk

{SEAL}

Motion to Approve/Deny Ordinance O4-3-24 made by: Votes:

Title	Name	Aye	Nay	Other
Trustee (Wards 1 & 2)	K. Servais			
Trustee (Wards 3 & 4)	G. Paul			
Trustee (Wards 5 & 6)	C. Zirbel			
Trustee (Wards 7 & 8)	C. Atkinson			
Trustee (Wards 9 & 10)	J. Krueger			
Trustee (Wards 11 & 12)	T. Flucke			
President	M. Kardoskee			

Date of Publication: April 26, 2024