VILLAGE OF PEWAUKEE
PLAN COMMISSION MINUTES
February 8, 2018

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call
President Knutson called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited and a moment of silence followed.

Roll Call was taken with the following Plan Commission members present: Comm. Todd Greenwald, Comm. Eric Rogers, Comm. Craig Roberts, Comm. Jim Grabowski, and President Jeff Knutson. Comm. Cheryl Mantz, and Trustee Joe Zompa were excused.

Also Present: Mary Censky, Village Planner; Pat Hawley, Village Engineer; Mark Blum, Village Attorney; Ed Hill, Village Trustee; and Cassie Smith, Deputy Clerk/Treasurer.

2. PUBLIC HEARING
   a. On Conditional Use Grant Application for Meridian Behavioral Health, LLC to operate a 120-bed in-patient chemical dependency treatment center at 321 Riverside Drive (Property is zoned IPS (Institutional and Public Service)., Applicant is Meridian Behavioral Health, LLC in c/o Sean Epp)

Planner Censky stated that the applicant is proposing a 120 bed inpatient facility. Plans are to maintain the building as is with the exceptions of some window, entry area canopy and entry area door updates. The Commission has an understanding of the recent law changes which specifically change the way in which a municipality can handle a Conditional Use Grant (CUG). The new law doesn’t leave much room for subjectivity; if attaching conditions or recommending denial of a CU request it has to be based upon measurable adverse impacts, there should be supporting data or other reliable evidence to confirm this.

Jon Haines @ 921 E Wisconsin Ave – Mr. Haines stated he has been a resident for 25 years and back in 1961 when River Hills was purposed he doesn’t believe planners at that time considered the traffic impact of today. The increase of traffic will be due to the garbage, laundry, supplies, and bed units. Currently people are speeding through the neighborhood and blowing through stop signs. The Plan Commission in 1961 couldn’t see what it would look like today.

Cindy Hill @ 303 Sunset Dr. – Ms. Hill referred to the traffic plan submitted to the Plan Commission. She asked why the Plan Commission agenda packet is not online as it is for the Village Board packet or why the hearing notice doesn’t state that residents can go into the Clerk office to review the packet. Ms. Hill went over some of the numbers listed in the submitted traffic study and asked; how many staff on site will be licensed, is this accredited, will there be any security, and is the applicant aware the building has been boarded up and there may be mold and/or asbestos at the facility.

Cathy Matrise @ 1150 E Wisconsin Ave – Ms. Matrise stated she agrees with Mr. Haines, things were different back in 1961, the traffic issues are not something the employees will care about. She is wondering how extensive this clinic will be, will there be a methadone clinic? Why has the Village not looked at rezoning this property and raising this building to build more houses? Elm Grove just did that to a school property.

Ted Kubisiak @ 265 Parkview Ct – Mr. Kubisiak stated that one year ago a company came in and wanted to put a 40 bed facility and now this company wants to put in a 120 bed facility with in and out patients. If people are allow to go in and out that opens the neighborhood up for a lot of crime.

Colleen Clancy – 1014 Lilac Ln – Ms. Clancy stated she has put a lot of hours of research into the Meridian Company. Meridian has a lot of locations, mostly in MN with annual revenue of $19 million. She couldn’t see any of their facilities that were in residential neighborhoods and when she made several phone calls the employees couldn’t answer questions about programs, free time, hours of treatment, and success rates. Clancy
asked the Plan Commission to postpone this item so that the residents could get their questions answered and so that the residents have time to do research. She wants to know the company’s intentions and standards.

Judy Koplien @ 310 Sunset Dr. – Ms. Koplien stated she looked at three different sites and none of those were in residential neighborhoods, the closest houses were about four blocks away. She stated that if they are accepting jail appointed rehab she is concerned. This should not be in a residential facility.

Kathy Matrise @ 1150 E Wisconsin Ave – Ms. Matrise stated she would like more info on this and asked that they come back. This facility is not appropriate here and should be redeveloped.

Amanda Schulz @ 202 Riverside Dr. – Ms. Schulz stated she has been at the last three meetings in regards to the 321 Riverside site, her main concern is traffic, she has a small child and there are no sidewalks and the streets are dimly lit. She does appreciate the traffic study but additional details would be nice. She was notified about three weeks ago about the new facility but wants to know why the responsibility falls on the residents for the fact base study. The Village should be using their resources to get studies done.

Ed Hill @ 303 Sunset Drive – Trustee Hill stated that when this facility was built the traffic wasn’t a problem, he appreciates the peaks were given in the report but the study doesn’t take into account the traffic on the streets currently. When River Hills was operating backing out of his drive was a challenge. He feels a true traffic count needs to be done and then add what is purposed, the traffic study needs to be factual.

Paul Evert @ 327 Lookout Drive – Mr. Evert stated the Plan Commission is the most important part of the Village, any decision the Plan Commission makes needs to be good for long range planning.

Ralph Abts @ 901 Ridgeway Dr. – Mr. Abts stated he wanted to speak on the traffic; he has done a lot of outside work now that he is retired. When he was outside doing yard work he counted only about five cars that actually stopped at the stop sign and that is without traffic from a new facility. During the fall the speed control helped but what will happen when there are more cars out there.

Deanna Ladwig @ 402 Sunset Dr. – Ms. Ladwig stated she has lived there since 1999 and has been at all the meetings regarding 321 Riverside Drive so far. There has been nothing that has changed; there are still no sidewalks and not a lot of lights. The property values will go down and residential home prices will be affected. She has worked hard to improve her home and pays her taxes. The facility wasn’t bad when it was a nursing home; it was a part of their neighborhood. She would like to know the property values will not go down and asks they come together and do research, what is this facility is bringing to the community.

Jonathan Kolf @ 133 Riverside Dr. – Mr. Kolf stated he is new to the area but thinks the Plan Commission needs to talk about the traffic issues, he is at the end of a dead end street and there are a lot of people that come around to hunt and such. He doesn’t think the Commission should agree to this facility.

Ted Kubisiak @ 265 Parkview Ct – Mr. Kubisiak stated he and his daughter used to Christmas carol at River Hills and he doesn’t think they will be able to do that at this new facility.

Earl Fulcer @ 106 Sunset Dr. – Mr. Fulcer stated he has been a resident since 1989 and he is the neighborhood block watch captain. He read a letter from Lisa Boesma @ 1053 Ridgeway Dr. Ms. Boesma stated that she has lived in this community since 1976 and she is strongly opposed to the purposed facility. Her letter asked why the facility is so large and wonders if the facility should be able to operate. Why not rezone the property and she addresses her concern for property values and how this will affect crime. She also expressed her concern of drugs, and how they would be bringing this facility up to code. This property is not harmonious to the community.

Earl then asked the Plan Commission to do their due diligence and asked why the fact checking falls on the residents, why doesn’t the Village do the checking.

Colleen Clancy @ 1014 Lilac Lane – Ms. Clancy stated that home values within 1/8 mile are about an 8% reduction but it is even worse with specific treatment areas like heroin. This would be a substantial loss to the neighborhood, please take that into consideration.

Thomas Matrise @ 1150 E Wisconsin Ave – Mr. Matrise stated the traffic speeding on the corner of Riverside is excessive; the drivers do not care what the sign says.
Deanna Ladwig @ 402 Sunset Drive – Ms. Ladwig stated that she was home all day Tuesday and at least 5 cars came down her road that were not her neighbors, she questions why those cars are coming down her road. She stated that student driving classes are also coming down her road a lot, the traffic study cannot be correct.
Jon Haines @ 921 E Wisconsin Ave – Mr. Haines stated that this boils down to a big business, this is just a residential community, what will they be bringing to the neighborhood?
Earl Fulcer @ 106 Sunset Dr. – Mr. Fulcer asked the Commission to postpone this hearing and setup a meeting so that the residents can get more answers.
Kathy Matrise @ 1150 E Wisconsin Ave – Ms. Matrise stated this is not in the best interest of the neighborhood.
Colleen Clancy @ 1014 Lilac Lane – Ms. Clancy would like to know where all the employees, visitors, and patients will park.
Janet Abts @ 901 Ridgeway Dr. – Ms. Abts stated there are enough parking spaces for employees, visitors, and patients.
Diane Haines @ 921 E Wisconsin Ave – Ms. Haines stated the elephant in the room is the legalities, is it possible to postpone this item for more time?

3. Citizen Comments
Paul Evert @ 327 Lookout Lane – Mr. Evert asked the Commission about item 5C, the school streets, if the Commission passes the purposed dedication tonight the taxpayers will be paying for it; read beyond the paper.
Ed Hill @ 1150 E Wisconsin Ave – Trustee Hill stated he thinks it is great that the Public Notice goes out to residents within 800 feet vs 300 feet. He suggested that the notice include that the documents are available to be viewed at the Village Hall. Trustee Hill stated he sees no benefit to the Village to assume the streets in item 5C. Currently there are more than just Village residents utilizing the Pewaukee School District, if the Village is the owner the only one paying for the maintenance of these roads will be the Village; this is a huge mistake.
Kelli Belt @ 377 Park Ave - Ms. Belt stated that he owns a home in the Village and that in regard to item 5B we need to make it easier for businesses to come in. She stated she would like to move her business to the Village that is currently in Delafield. She stated that in Delafield people know that they will have to walk, she has people that walk past her business every day, even in the cold. A parking change needs to be considered in order to make this community grow.
Patty Maynard @ Bluegrass Ln – Ms. Maynard stated she is in support of item 5B; in the past there have been businesses that were turned down due to the parking, if you go to Wauwatosa you know you will have to walk. The parking requirements need to be loosened.
Kathy Matrise @ 1150 E Wisconsin Ave – Ms. Matrise stated she researched the codes a while ago about lighting that was intrusive. She stated that the building on E. Wisconsin Ave. which was recently purchased by Judson has been cleaned up and looks nice but they have the same old lights. She asked the Commission to look into the lighting and see if something more shielded and more aesthetic could be put up.
Paul Evert @ 327 Lookout Dr. – Mr. Evert stated that the Village has been trying to accomplish item 6E for 4-6 years.

4. Approval of Minutes
a. January 11, 2018 Minutes
Comm. Greenwald moved, seconded by Comm. Roberts to approve the January 11, 2018 minutes with the following changes; on page 7, the 6th line down should read as follows:
“the Village of Pewaukee requires 1 per 100 square feet for restaurant and tavern uses and 1 per 200 square feet for most other uses.” Motion carried 7-0.
5. **OLD BUSINESS**
The Commission deferred items 5A-5C until the end of the meeting.

6. **NEW BUSINESS –**
   
   a. **Review and possible action on a sign waiver request for The Ihn Company, 633 Cecelia Drive, for a 243-sq. ft. wall sign (property zoned B-5 Light Industrial, James Ihn applicant)**

   The Commission deferred this item to later in the meeting.

   b. **Review and possible action on a Conditional Use Grant Application for Meridian Behavioral Health, LLC to operate a 120 bed in-patient dependency treatment center at 321 Riverside Drive (Property zoned IPS, Applicant – Meridian Behavioral Health, LLC).**

   Planner Censky stated that this applicant is proposing a 120 bed chemical dependency treatment center. This is only for inpatient care not an outpatient service. The proposed changes include new windows, a new storefront entry face lift, replacing the front canopy, and additional landscaping along the west side where the site abuts residential neighbors. The rest of the building and site will otherwise stay as is. The target of this facility is not for court ordered rehab but for self pay in patient. Planner Censky read her recommendations for conditions to attach if the Planning Commission decides it’s leaning to an approval in this matter. She added that it was not in her report but that she also recommends that a condition be added requiring all exterior lighting to be modified or replace in order to become compliant with the current lighting standards for the Village with a plan for this to be subject to Village Staff review/approval.

   Steven Canwell with Meridian Behavioral Health stated the mission statement of Meridian. He stated they treat about 13,000 patients voluntarily seeking treatment each year. They treat substance abuse as well as use dual diagnosis with mental health issues to treat individuals. Mr. Canwell states: This is a highly structured program with safety for all being the primary concern. All events are chaperoned and there are random drug tests and K9 searches on site. Meridian has about 30 facilities in 5 different states and about 50% of the facilities are in residential neighborhoods. They would like to come into Wisconsin because they recognized that there is a horrible problem and treatment centers per capita are low; there is a huge need here. The treatment Meridian uses is evidence based and about 75% of their patients are graduating. A Meridian representative stated that if individuals are a danger to themselves or others then they are not accepted. The applicant responded to Comm. Rogers question stating they have been in business for 30 years. The applicant responded to Comm. Greenwald’s question stating that no security guards would be on site and no lock downs would be done. The applicant stated yes to Comm. Rogers statement that patients could just walk out if they wanted. He added, the staff is trained to deal with those circumstances and it is rare that someone would leave without giving anyone notice. If, after speaking to an employee, the patient still wants to leave they are able. The applicant responded to Comm. Grabowski’s question that a patient could come back more than once depending on the circumstances of their departure. A representative for Meridian stated the site is ideal for what they are proposing. He showed the floor plan and the upgrades that they are planning to do. The traffic engineer working on behalf of Meridian stated that at the holidays time of the year, data isn’t the most reliable to go on for a traffic study, and comparing a nursing home to a rehab facility isn’t necessarily good data either but it’s the closest thing they have. The traffic analyzed the AM and PM peak periods in comparison of the nursing home when it was operating at 2/3 the capacity. The traffic engineer stated that in his opinion the traffic volumes would be low and wouldn’t have a detrimental effect. When he pulled the DOT records for the last 5 years there were only minor accidents in that area. Comm. Rogers asked for clarification on the map provided by the traffic engineer. Mr. Higgins responded to President Knutson’s question stating yes, this wasn’t an actual traffic count. This provides what the traffic would have been back when it was a nursing home. This facility would be less. He stated he was unable to get actual counts due to the weather and the holiday season. This traffic report is showing what is expected to be generated by this facility and doesn’t take into consideration what the traffic is now. Comm. Grabowski states then we don’t know the baseline they are starting with. Engineer Hawley stated the volumes would go up with this facility. Mr. Higgins is saying that the incremental increase may not be
noticed from an operational increase and probably will not push the traffic over the limit, but there will be an increase in traffic and it could cause delays. Knutson stated he is already concerned about the baseline traffic and then adding more to it. Grabowski stated they required a baseline study from other applicants, what would the DOT rating be and what is the threshold or standard. Grabowski stated he feels the Plan Commission should have definitive answers and asked the Commission to hold this applicant to the same standards as previous applicants. Knutson stated he agrees with Grabowski. Mr. Higgins stated this study was done during Christmas break for WCTC it is hard to get good numbers at that time. Knutson stated he wants a base number for his peace of mind. Comm. Rogers asked the applicant if they have had any communications with the neighbors before today - the applicant stated no. He stated they have other facilities that are in residential neighborhoods that are running successfully. Engineer Hawley stated that when looking at incremental changes we know the traffic will go up but the Commission wants a better understanding of what is going on and what it will look like as a whole so the baseline would be advisable. Attorney Blum responded to Comm. Grabowski stating that this use is a CUG and not listed as a permitted use. Comm. Roberts asked the board if they wanted to defer and suggest they have a town hall type meeting with the neighbors as an opportunity to get familiar with the residents and their concerns. Attorney Blum stated the Plan Commission can ask the applicant to provide a more detailed traffic study at the next meeting. Comm. Rogers stated he wanted to respond to the comments that would like this property re-zoned. He said the Plan Commission can’t limit the kinds of projects that come forward with applications at the meetings and he said the Village can’t just take someone’s private property and just re-zone it. Roberts stated that the roads in this subdivision are different than ones from other subdivisions. Discussion followed.

Comm. Roberts moved, seconded by Comm. Grabowski to defer the Conditional Use Grant Application for Meridian Behavioral Health, LLC to operate a 120 bed in-patient dependency treatment center at 321 Riverside Drive until the March 2018 meeting where the Plan Commission requests to have a more detailed traffic study and including an actual set of current/existing traffic counts in the area.

c. Review and possible action on a sign waiver request to approve a 106.67 sq. ft. monument sign at 690 Westfield Way (property zoned B-1 Community Business, applicant – Innovative Signs)

Planner Censky stated that there is an existing free standing sign at this facility. The building faces the south but the street is to the east where only the end tenant has street frontage. The property owner would like to install a larger cabinet on this street front freestanding sign and have each tenant listed. The proposed sign is 15.34’ tall and 106.6 sq. feet. The Plan Commission has the right to waive or modify terms of the Sign Code where unique circumstances warrant it. The sign will list up to 12 tenants. Comm. Greenwald stated it is hard to see who the tenants are in there currently. Comm. Grabowski stated the development can use any improvement they can get for signage. Comm. Roberts stated he agrees.

Comm. Greenwald moved, seconded by Comm. Grabowski to approve the sign waiver request to approve a 106.67 sq. ft. monument sign at 690 Westfield Way with the following recommendations:

1) The space on this sign shall not be used to display “space for lease”, or contact information for leasing in the center,.... rather the space of this sign shall be limited in its scope of use to identifying only existing and operational business occupants of the multi-tenant center at 690 Westfield Way and the name/address of the center itself;

2) No single tenant or occupant business shall be permitted to utilize more than 32 sq. ft. of display area on the face of this sign;

3) If any of the changeable tenant panels as depicted on the plan are not in use for business identification, then that panel(s) shall be maintained as a blank in a light tan colored (vs white or dark out) lexan to match the background color of all the other panels in the sign.

Motion carried 5-0.
d. Review and possible action on Business Site Plan Application for WCTC, 800 Main Street, to reconfigure parking lot at Northeast corner of campus (property zoned IPS, applicant – WCTC)

Planner Censky stated this applicant is requesting to reconfigure two existing paved parking areas at the northeast side of the campus. They will not be expanding the parking lot only reconfigure and restripe and modify the entryways of where you can get into the lots. They are proposing new landscape and new lighting in support of these changes as well. The improvement would be increasing total parking stalls. This item didn’t raise any concerns from Engineer Barbeau or herself.

Comm. Rogers moved, seconded by Comm. Grabowski to approve the Business Site Plan Application for WCTC, 800 Main Street, to reconfigure parking lot at Northeast corner of campus with recommendations as follows:

1) All lighting fixtures shall be mounted at a 90 degree angle to the ground;
2) Applicant to secure all required construction, electrical,... permits prior to the start of work at this site/project;
3) Village Engineer review and approval of any/all required grading, drainage, stormwater management, erosion control and utility plans prior to the start of work at this site/project.

Motion carried 5-0.

a. Review and possible action on a sign waiver request for The Ihn Company, 633 Cecelia Drive, for a 243-sq. ft. wall sign (property zoned B-5 Light Industrial, James Ihn applicant)

Planner Censky stated this is a new wall sign request. The new owner is looking to put up a 257 sq. ft. internally lit sign. The applicant would like to have an identity facing Highway 16. Comm. Greenwald stated that there is nothing else around this facility. Comm. Roberts stated that the sign on Cecelia is almost unreadable. Planner Censky responded to President Knutson stating that the lighting will be internally lit, it is LED but shouldn’t be too intense because it’s behind the lexan panel.

Comm. Greenwald moved, seconded by Comm. Roberts to approve the sign waiver request for The Ihn Company, 633 Cecelia Drive, for a 243-sq. ft. wall sign with recommendations as follows:

1) Issuance of sign, building and/or electrical permits as may be required under Code prior to installation of any sign.
2) Applicant agrees that if the lighting of this sign is too intense and becomes a nuisance or hazard to the surrounding area, they may be required to reduce the intensity of illumination upon receiving notice from Village Staff.

Motion carried 5-0

e. Review, discussion and possible recommendation to the Village Board for amendment to the B-2 Downtown Business Zoning District language to require that existing overhead transmission lines and related support appurtenances be buried as a condition of approval where new development/redevelopment is proposed within the downtown area.

Planner Censky stated that some areas in the B-2 Downtown have a congestion of unsightly and space consuming overhead utility equipment and support facilities in an area intended to be very pedestrian friendly and compact in development. The Plan Commission looked at the draft language insert in the packet and Censky stated this requirement would apply if the applicant was to proposing to do substantial changes/additions or new construction improvements. Comm. Roberts stated that this indirectly relates to the parking issues on the agenda and thought this could hinder development from a cost standpoint. President Knutson stated he feels this is a good thing to put in place. Roberts asked if this would financially hinder a business coming into the Village. Comm. Grabowski stated that he doesn’t think there would be enough of a financial impact to hinder businesses. Administrator Gosse stated this would become a site design Code standard.
President Knutson moved, seconded by Comm. Grabowski to approve recommendation to the Village Board for amendment to the B-2 Downtown Business Zoning District language to require that existing overhead transmission lines and related support appurtenances be buried as a condition of approval where new development/ redevelopment is proposed within the downtown area but with the added provision that: where it’s determined by the Planning Commission that, given the unique and specific circumstances of a particular site or building/ development project, it would not be fiscally or physically practicable for some or all of this requirement to be fulfilled, they may waive or modify this requirement accordingly. Substantial modification shall be any site or building change, the finished value of which is equal to or greater than 25% of the current assessed value of improvements on the site.
Motion carried 5-0

7. Citizen Comments
None.

5a. Review, discussion and possible recommendation to the Village Board regarding proposed changes to Chapter 40, Article VI, Division 16 of the Village’s Municipal Code as relates to the IPS (Institutional and Public Service) Zoning District.
Planner Censky stated she has enclosed a clean copy of the changes talked about at the last meeting. There were some items added and some deleted by discussion at that meeting. Censky responded to Comm. Grabowski that her notes stated at first they were going to take out concert halls and then by the end of the last meeting the Commission had added them back in. Censky responded to Comm. Roberts that performance standards are a separate piece of the code; it is not just for the IPS district. Attorney Blum stated this is a list of uses in the IPS district, performance standards are not related to one district and then Blum explained a bit more about the new law.
Comm. Rogers moved, seconded by Comm. Greenwald to approve recommendation to the Village Board regarding proposed changes to Chapter 40, Article VI, Division 16 of the Village’s Municipal Code as relates to the IPS (Institutional and Public Service) Zoning District.
Motion carried 5-0.

The consensus of the Commission was to defer items 5B and 5C to the following meeting.

8. Adjournment
Comm. Rogers moved, seconded by Comm. Roberts to adjourn. Motion carried 5-0.

Meeting adjourned at approximately 10:14 p.m.

Respectfully Submitted,

Cassie Smith
Deputy Clerk/Treasurer