VILLAGE OF PEWAUKEE
PLAN COMMISSION MINUTES
May 10, 2018

1. **Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call**
   President Knutson called the meeting to order at approximately 7:02 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. Eric Rogers, Comm. Craig Roberts, Comm. Jim Grabowski, Trustee Joe Zompa and President Jeff Knutson. Comm. Cheryl Mantz and Comm. Todd Greenwald were excused.

   Also Present: Mary Censky, Village Planner; Tim Barbeau, Village Engineer; Mark Blum, Village Attorney; Scott Gosse, Village Administrator; and Cassie Smith, Deputy Clerk/Treasurer.

2. **PUBLIC HEARING**
   a. **On the Conditional Use Grant Application of Ben Peterson seeking relief from the side yard offset and the ‘front’ setback requirements for a building addition proposed to be constructed at 546 Kopmeier Drive.**
      Project plans include raze/removal of the existing detached garage structure on the property. **The property is Zoned R-5(LO) Single-Family Residential with Lakefront Overlay.**
      
      Jeff Beres @ 554 Kopmeier Drive– Mr. Beres stated he is the neighbor to 546 Kopmeier Drive; he has no problem with this proposed item and said it is actually an improvement to his yard. He is in support of this.

   b. **On the Conditional Use Grant Application of James Grabowski seeking relief from the side and rear yard offset requirements for a replacement detached garage (2-stall design) proposed to be constructed at 128 Park Avenue.**
      Project plans include raze/removal of the existing detached garage structure on the property. **The property is Zoned R-5 Single-Family Residential.**
      
      None.

   c. **On the Conditional Use Grant Application of Beachscape Pewaukee LLC, in c/o member Joe Grasch, to develop a multi-family (i.e. 5 dwelling unit) plus street grade retail/business mixed use building with an overall height slightly in excess of 42 feet on the vacant lands located between the existing buildings at 161 and 125 West Wisconsin Avenue.**
      **Property is Zoned B-2 Downtown Business.**
      
      Jan Farber @ 130 W. Wisconsin Ave – Ms. Farber stated she thinks this is a good idea.

3. **Citizen Comments**
   None.

4. **Approval of Minutes**
   a. **April 12, 2018 Minutes**
      
      Comm. Grabowski moved, seconded by Trustee Roberts to approve the April 12, 2018 minutes as presented. Motion carried 5-0.

5. **OLD BUSINESS**
   a. Review, discussion and feedback to Village Staff regarding the possible addition of Performance Standards to the Village’s development regulations.

      No new information for this item was presented or discussed.

6. **NEW BUSINESS** –
   a. Review, discussion and possible action on a request for Sign Code Waiver to add a second wall sign on the west (i.e. Main Street) street facing building façade. **Property owner/Applicant is Lark Property**
Management in c/o Katie Guindon d/b/a Design Exchange (175 Main Street). The property is Zoned B-2 Downtown Business District with a PUD Overlay.

Planner Censky stated that the sign code allows one wall sign per street frontage, up to 30 sq. ft. in area/each. Design Exchange would like to place a second sign on the west elevation that faces Main St. There is no wall sign facing Prospect Avenue at this time. The total combined square footage of the two west facing signs would be 35 sq. ft. The applicant is requesting this waiver due to the elevation of the current sign; customers are not seeing their sign from pedestrian height. Comm. Zompa stated that the sign at the door is well lit and asked if there are any intentions on changing the lighting or adding new lighting for this sign. Planner Censky stated there are no intentions to change the lighting.

Comm. Zompa moved, seconded by Comm. Grabowski to approve the Sign Code Waiver to add a second wall sign on the west (i.e. Main Street) street facing building façade with the following conditions:

1. Applicant to secure all necessary sign, building and/or electrical permits prior to the start of construction/installation activity attendant to this sign.
2. The sign is considered to be approved in lieu of any future projecting sign being permitted on this building façade.

Motion Carried 5-0.

b. Review, discussion and possible action on the Conditional Use Grant request of Property Owner/Applicant Ben Peterson seeking relief from the side yard offset and the ‘front’ setback requirements for a building addition proposed to be constructed at 546 Kopmeier Drive. Project plans include raze/removal of the existing detached garage structure on the property. The property is Zoned R-5(LO) Single-Family Residential with Lakefront Overlay.

Planner Censky stated that this is an existing residence with a detached garage which is only one or two feet off the lot line; this property is a non-conforming lot and therefore would need a conditional use grant to proceed. The applicant would like to build an addition to their house along with an attached garage. The new setbacks will improve the existing setbacks but will still not be within Code. Engineer Barbeau stated Planner Censky requested a grading plan review/approval in her conditions. The new plan seems to be very flat which should not cause any drainage issues. Trustee Roberts stated that this will make the situation less non-conforming and therefore he has no problem with approving this.

Trustee Roberts moved, seconded by Comm. Zompa to approve the Conditional Use Grant request of Property Owner/Applicant Ben Peterson seeking relief from the side yard offset and the ‘front’ setback requirements for a building addition proposed to be constructed at 546 Kopmeier Drive with the following conditions:

1. Applicant to submit, for Village Engineer review and approval prior to issuance of a building permit, a plan confirming that stormwater runoff will not be adversely impacted, particularly upon adjoining properties, due to the proposed site/building modifications;
2. Issuance of the CUG document and recording thereof prior to start of any work on the proposed building removal and/or new construction;
3. Issuance of all required building and/or raze permits prior to the start of any work on the proposed building removal and/or new construction.
4. The applicant shall submit and gain approval of a grading and drainage plan. The plan shall include proposed contours and spot elevations, as well as the proposed finish yard grade and the existing yard grades of the adjacent homes.
5. The new garage will eliminate the need for additional asphalt along the east side of the existing garage and overhang. The existing asphalt should be removed and that area and the space used for drainage management (Ref No. 1 above).

Motion Carried 5-0.

c. Review, discussion and possible action on the Conditional Use Grant Application of James Grabowski seeking relief from the side and rear yard offset requirements for a replacement detached garage (2-stall design) proposed to be constructed at 128 Park Avenue. Project plans include raze/removal of the existing detached garage structure on the property. The property is Zoned R-5 Single-Family Residential.

At the start of this item Comm. Grabowski moved to the audience and didn’t participate as a member of the Commission. Planner Censky stated this is an existing residence with an existing detached garage. The applicant would like to remove the existing garage and construct a new detached garage. The new garage will be offset 5’ off the south/rear lot line and...
offset 2’ off the west/side lot line. Censky read the conditions. Engineer Barbeau stated his only issue is the existing garage has asphalt and he wants to make sure the drainage plan is okay. Comm. Rogers asked if they could put in the recommendations to require a drainage plan. Engineer Barbeau stated the applicant would have to submit a drainage plan if they change anything. Jim Grabowski stated the low part of the yard is the front yard. Trustee Roberts asked why he doesn’t move the garage more to the east to make it more conforming. Jim Grabowski stated they don’t want to move the building due to the driveway and moving it any more forward would put it in the way for the parking lot. Grabowski stated he has talked with the neighbors and they are all fine with this.

Comm. Rogers moved, seconded by Comm. Zompa to approve the Conditional Use Grant Application of James Grabowski seeking relief from the side and rear yard offset requirements for a replacement detached garage (2-stall design) proposed to be constructed at 128 Park Avenue with the following conditions:

1) Applicant to submit, for Village Engineer review and approval prior to issuance of a building permit, a plan confirming that stormwater runoff will not be adversely impacted, particularly upon adjoining properties, due to the proposed site/building modifications;
2) Applicant to provide specific offset dimensions from the west and south lot lines for the proposed new detached garage building for review and approval by the Village Planning Commission;
3) Applicant recognizes that any approval granted hereunder does not relieve him of the responsibility to obtain permission from the neighboring property owner to enter on and remove the improvements that may be situated on neighboring property owned by others;
4) Issuance of the CUG document and recording thereof prior to start of any work on the proposed building removal and/or new construction;
5) Issuance of all required building and/or raze permits prior to the start of any work on the proposed building removal and/or new construction.
6) The applicant shall submit and gain approval of a grading and drainage plan if any grades are changing. If grades are changing, the plan shall include proposed contours and spot elevations, as well as the proposed finish slab grade of the new garage.
7) The new garage grade shall otherwise be set at or near existing pavement grades.

Motion Carried 4-0, Comm. Grabowski abstained.

d. Consultative review, discussion and feedback regarding a concept plan to develop a 130 – 150 unit, 4-story, senior living community on the vacant 4.6 +/- acre parcel of land located at the northeast corner of Pewaukee Road (Hwy 164) and Swan Road. Property owner is BV-Pewaukee Limited Partnership. Applicant is The Waters Senior Living in c/o Michael Zirbes. Property is Zoned B-3 Office and Service Business District. Planner Censky showed the property on the screen and stated the staff has met with the applicant/developer. The staff determined that for senior living this property would need to be changed from a Commercial to Institutional Land Use designation and from a B-3 to an IPS zoning district. There would appear to be a need for some relief to underlying Code requirements even with these land use and zoning changes being made. The staff believes this site/area could support the traffic for the four story 130-150 unit building. The applicant has not committed to an exact building design at this time but knows it would be four stories with living spaces on levels 1 -4 and an underground parking level. Planner Censky stated that the concept roof design option with the gables would make the building over 42’ in height which is the Code limit. She stated that the Floor Area Ratio is maximum in the IPS is 30% and the concept plan is almost triple that amount. The conceptual setback from the road is less than the 50’ required. Engineer Barbeau stated if this was granted they would need stormwater and utilities brought over from the other side of 164. The sewer pipe was intended for 19 residential homes not a 150 unit building. Barbeau is unsure but thinks they may need to upgrade the sewer if they decided to go forward. Barbeau is also concerned about the entrance and exit and it’s alignment with Broken Hill’s entry/exit; this may cause a safety concern for the neighbors and residents and be too much going on. Comm. Grabowski asked if it would be the property owners expense to upgrade the utility services; Barbeau stated it would be the developers responsibility and that, even so, it may not be as simple as getting a larger pipe onsite, it may require a larger pipe for some distance down the road, but it would not be something the municipality should be responsible for. Barbeau responded to Zompa’s question can it be done; anything is feasible but the cost is the question, a study should be done to determine what is needed. Zompa stated that the Village has height restrictions for a reason; this would stick out like a sore thumb. Trustee Roberts asked if this would have an adverse impact on the current EMS contract. Comm. Rogers stated this project is too high of density and therefore he is not in favor. Comm. Grabowski stated he likes the idea of an upscale senior living center and he knows there will be a lot of nuances that need to be worked out, but the concept is nice. Trustee Roberts stated to
move zoning from a B-3 to an IPS is not of concern and would like it specified in the CUG that it would be used as a senior building including adding a specific minimum age restriction. The applicant showed the power point and the concept plan. The building shown was an example of one being constructed in MN. The Applicant explained the building and the amenities. He stated there would be independent living, assisted living, and memory care units. He estimates EMS calls on average are about 6-7 calls per month. The staff is there to help the residents and therefore that can alleviate some calls. The average move in age is targeted at 80. The assisted living is an al’ la carte package and is private pay. The applicant responded to Trustee Roberts stating that these units are 100% rental properties, there is a base rental rate and then the residents would pay for the things they need additionally. The applicant responded to Comm. Grabowski stating that physical therapy and occupational therapy are not offered through their business but they do have some offsite businesses that come into their facility and provide services. Comm. Zompa asked if traffic studies have been done. The applicant stated yes it is common for them to have to do traffic studies, they are usually viewed as low traffic usage with the highest parking needs when they first open due to residents moving in. The applicant stated yes to Comm. Zompa, this facility would offer transportation for the residents and yes they would be willing to complete a traffic study. The applicant showed a list of amenities offered at onsite in response to President Knutson’s question. Comm. Grabowski stated that his greatest concern is the capacity in the utilities but generally he thinks this is a great idea and likes the options. Engineer Barbeau asked how many residents are projected when the facility is full, the applicant stated about 1.2 people per unit so 170 residents would be at the maximum. President Knutson stated he likes the business plan, he agrees that they will need to look at the utilities closer and have a traffic study completed. Knutson stated the area is nice because the residents could walk across the street and find good shopping and restaurants. This property is kind of in a valley and therefore it may not look so tall with the hill on the north side. Knutson stated he would like the Commission to entertain this option. Comm. Zompa stated he is concerned with the height. Comm. Rogers stated he is concerned with the setbacks and maybe EMS contract issues.

e. Review, discussion and possible action on Building/Site Plan for two buildings proposed to be constructed on Lot 1 of the recently approved PUD (i.e. The Shops at Meadow Ridge) located at the southeast corner of Capitol Drive and Meadowcreek Drive, immediately east and south of 1400 Capitol Drive. Property Owner/Applicant is Meadow Ridge Shops, LLC in c/o architect Katie Kawczynski. Property is Zoned B-1 Community Business with PUD Overlay.

Planner Censky stated that this item is familiar to the Plan Commission. The PUD is not recorded as of yet. Buildings 1 and 2 are proposed to be built on the first lot of the CSM. Both the buildings are being built as ‘whitebox’ and if a restaurant (up to the preapproved type and size set forth on the PUD) or other conditional use wants to come in, they will have to come back for Plan Commission review/consideration separately as a tenant occupant. These buildings incorporate items such as roll up doors, there is also a dumpster enclosure plan and internal site landscaping plan. Censky stated that she would like to add to the recommendations that the backside of the raised parapet walls where visible from the surrounding area would have to have the same materials as the outward facing wall materials. The exterior building lighting is decorative only. Engineer Barbeau stated that the applicant is following the grading plan that was submitted and approved. Comm. Grabowski asked if it is a concern that this development will be done in stages; what will happen when stage five is being developed and there is only one way in and out. The applicant and Village Engineer explained how that’s been planned for. Trustee Roberts stated that metal roofs have not typically been allowed in the Village. The applicant stated the entire development is hoping to be consistent in its overall design theme would like to have the same general look and the metal roof goes with the look of these buildings. It was noted that the roof is actually a flat type design but the tower-like gable features at the corners and awning type features are secondary or incidental features. Engineer Barbeau responded to President Knutson, all the 9 acres of stormwater, grading, utilities, etc. would need to be done before they can start building any building in this development. The applicant responded to Knutson stating that the 9+/- acres of grading will be done all at once. Trustee Roberts stated that he has heard Chick Fil-A is going into this development, what will their building look like. The applicant stated they are actually sharing plans back and forth with others designing buildings for this property and trying to keep themes and elements complimentary but not being cookie cutter. Each building design has unique needs to satisfy. Trustee Roberts asked what the Commissions thoughts are on the roofing. Comm. Zompa asked if there are other roof types such as a metal roof with a shingle-look pattern. Comm. Grabowski stated that other roof types/materials wouldn’t be as conducive to the overall look of these buildings. The metal roof next door at Associated Bank was pointed out. Planner Censky stated that metal can be used as a secondary/accent material according to the code and overall, this is a flat roofed building plan with gabled elements and awnings but not a gabled roof per se. Comm. Grabowski stated it is an auxiliary portion to the building and therefore he is okay with that. The applicant stated that the
HVAC units will be located mostly out of sight on the rooftop and they will work with Staff to be sure visible parts are fully screened or disguised. President Knutson stated that he is wavering on the idea of the metal roof. Comm. Grabowski stated that this fits with the tenants they are trying to attract so he is in favor. Planner Censky stated that Panera is a shingled gable and Taco Bell is a flat roof with shingle in the mansard and gable features. President Knutson stated that if they let this development have metal roofing then someone else is going to want it. Comm. Zompa stated he thinks this makes the building look great. The applicant stated that this is an attempt to combine with what is in the code and what looks nice and up-to-date. President Knutson stated the Village wants to be more upscale and not have the look of just a metal building. Comm. Grabowski stated he agrees if the whole roof is metal but not for an accent. Trustee Roberts stated the amount of metal on the building doesn’t look cheap but the Commission has upheld the no metal roofs for some time now. Comm. Grabowski stated that this is a secondary element. Comm. Rogers asked if the code defines a secondary element. Planner Censky read an excerpt from Section 40.447 of the Code about building materials. The applicant stated she understands the reasoning behind not allowing Kwik Trip to have a metal roof but that was a full gabled roof. The applicant stated yes, they could do a mockup of what the building would look like with shingles if that was requested.

Comm. Rogers moved, seconded by Comm. Grabowski to approve the building/Site Plan for two buildings proposed to be constructed on Lot 1 of the recently approved PUD (i.e. The Shops at Meadow Ridge) located at the southeast corner of Capitol Drive and Meadowcreek Drive, immediately east and south of 1400 Capitol Drive with the following conditions:

1) All documents related to the underlying PUD plan and related documents approval shall be finalized and recorded if/as necessary prior to issuance of any permit for construction of these buildings;

2) All HVAC, utility appurtenances, secondary power supply equipment, and ...similar, shall be fully screened from the surrounding view - plans for same being subject to review and approval by Village Staff prior to issuance of building permit(s);

3) The backside of all raised wall rooftop elements visible from the surrounding view must be finished with the same materials as used on the outward facing walls of the building and cut through access ways must include operable screening doors/gates;

4) The issuance of building permits for these buildings shall be furthered controlled as provided for in the Development Agreement and related documents underlying the PUD;

5) Any future uses/users of these buildings, which use is described as a conditional use in the B-1 Zoning District, shall be subject to CUG review and approval prior to occupancy.

6) Submission of an updated site grading plan showing additional sidewalk spot elevations, curb ramp detail and grades, and installation detail for truncated domes for each ramp.

Motion Carried 4-1, on a roll call vote:

Comm. Rogers: aye  Trustee Roberts: aye
Comm. Zompa: aye  President Knutson: nay
Comm. Grabowski: aye

f. Review, discussion and possible action on the Conditional Use Grant Application of Beachscape Pewaukee LLC, in c/o member Joe Grasch, to develop a multi-family (i.e. 5 dwelling unit) plus street grade retail/business mixed use building, approximately 29,698 square feet in floor area with an overall height slightly in excess of 42 feet, on the vacant lands located between the existing buildings at 161 and 125 West Wisconsin Avenue. Property owners are Theodore Janka and Jay & Patty Gregor Revocable Living Trust. Property is Zoned B-2 Downtown Business District.

Planner Censky stated this is a plan for mix use; five condo units with attached garages, and retail space. This is a conditional use grant request that will require both Planning Commission and Village Board approval. The downtown design guidelines encourage building placements as close to the road as possible. This site will provide 40+ parking stalls (including up to 3 possibly as new street parking stalls). Thirty stalls is the Code requirement for this project. The number of street stalls is uncertain because they will have to work with DPW on this. There will be no longer be a driveway cut to the front of the property. The driveway aisles are narrow, at some points about 20 feet. To the far east and north end of the parking lot Censky is not sure if there is enough room to back out of the stalls. The architecture to what is currently there is consistent. Engineer Barbeau stated he’s also concerned of the backing spaces and 20 feet aisle widths and whether there’s enough room to turn into/back out of the garages. Turning some green spaces into asphalt could help with this. Currently there is enough green space but if they removed some to turn into asphalt they might be go over the permitted impervious amount. Barbeau stated that water comes off Wisconsin and he is unsure if the sewer lateral is sufficient and if
not it will have to be replaced. The plan grade seems reasonable; the wetland protections will need to be approved. There are substantial overhead lines that will have to be buried. This project will make the little stretch of Savoy to be busier. The applicant responded to Trustee Roberts stating the height of the building is over 40’ and Siepmann’s building is about 37’ but they have lowered the sides and stepped back the upper floors from the street to accommodate. Comm. Rogers asked if the roof would be shingles and the applicant stated yes. Trustee Roberts asked where the offset of 1.4’ is, Comm. Grabowski stated it is next to Cakes While You Wait. Engineer Barbeau stated he would like to see the walkway a bit wider and the applicant stated along W. Wisconsin the buildings are all tall and his prospective retailer/user find that desirable with the walkway so close. The applicant responded to Comm. Grabowski stating retailers would be local orientated like wine tasting, specialty retail, for instance but they are not pushing restaurants. The applicant responded to Trustee Roberts that they tried to go as wide as possible with the building and they are planning on having a fire wall and the walkway will be within 8.7’. The applicant responded yes to Comm. Rogers, there will be a walkway to parking area. The applicant stated the easement would create a lot of synergy to their building. Attorney Blum stated yes to President Knutson, the Village can allow them to attach a sidewalk to the Village’s for public access. Planner Censky responded yes to Trustee Roberts, if they do not remove the street trees that would create one less parking spot. Comm. Roberts stated since they do meet the parking requirement, then he would hate to lose a street trees. The applicant stated that there is a lot of businesses downtown and more parking would be better even though they meet Code. In 20 years the trees will block views to the building and probably have to come down anyway. Administrator Gosse stated he is unsure if the fire chief has weighed in on this building. Comm. Zompa stated the fire chief needs to look at this plan before it goes to Village Board. The applicant stated yes they have the easement from Siepmann for Savoy. Trustee Roberts asked if there would be any other costs since this would be in the TIF district and Attorney Blum responded there should not be any. Comm. Grabowski stated that this building would be following the master plan of the downtown area.

Comm. Grabowski moved, seconded by Comm. Rogers to approve the Conditional Use Grant Application of Beachscape Pewaukee LLC, in c/o member Joe Grasch, to develop a multi-family (i.e. 5 dwelling unit) plus street grade retail/business mixed use building, approximately 29,698 square feet in floor area with an overall height slightly in excess of 42 feet, on the vacant lands located between the existing buildings at 161 and 125 West Wisconsin Avenue with the following conditions:

1) Submittal of site landscaping, exterior lighting, final signage, and retaining wall plan details (i.e. construction design/plan view and offset detail) by the Planning Commission prior to advancing this request to the Village Board for consideration;

2) Village Engineer review and approval of all utilities, grading, drainage, erosion control, storm water management, right-of-way modifications plans, and such other plans may be deemed necessary (such as, for instance, but not necessarily limited to, DNR approval for wetlands fill/encroachment) prior to advancing this plan to the Village Board for consideration;

3) All HVAC equipment shall be fully screened from the surrounding views, as well as all utility service appurtenances such as meters, boxes,... any sort including back-up power systems, and similar. The plans for screening of these things shall be subject to review and approval by Village Staff prior to issuance of the CUG;

4) DNR review/approval of the proposed encroachment on the wetland prior to issuance of the CUG;

5) Applicant to work with Village Staff to reconfigure the backing areas for certain parking stalls on the site plan, to modify the drive aisle widths for compliance and to push the parking lot north to whatever extent may be possible as will permit the applicant to provide a landscape buffer between the parking lot and the future pedestrian pathway that will be constructed within the southern 6 feet of this property;

6) Applicant to depict the pathway easement on the plans and including the 10 width as provided for temporary construction access for reference. The Village Board may need to approve the 8.7 foot building offset as proposed which encroaches upon the temporary construction easement for the pedestrian pathway;

7) Applicant to combine all of the underlying lots which make up this project area;

8) Applicant to add false or clear window additions to the north and south building walls consistent with those required/implemented on the existing buildings situated north and south of this site to provide the full effect of four-sided architectural treatment;

9) Village Board review and approval of the Conditional Use Grant.

10) Adjustments to the grades to accommodate a walkway between the pedestrian bridge and W. Wisconsin Ave.

11) All inlets should be changed to catch basins with a 2 foot sump since the runoff will be outlet close to the Pewaukee River.
12) Confirmation of the hard surfaces on site, which will dictate whether stormwater management is required. As submitted, they are attempting to stay below the .5 acre threshold.

13) Fire Chief review and recommendation for any conditions of approval he feels are necessary;

14) Consultation with the Director of Public Works Dept as to the onstreet parking stalls vs the existing islands and related improvements situated therein.

Motion Carried 5-0.

7. **Citizen Comments**

None.

8. **Adjournment**

Comm. Rogers moved, seconded by Comm. Grabowski to adjourn.

Motion carried 5-0.

Meeting adjourned at approximately 8:59 p.m.

Respectfully Submitted,

Cassie Smith  
Deputy Clerk/Treasurer