VILLAGE OF PEWAUKEE
PLAN COMMISSION MINUTES
December 13, 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. Eric Rogers, Comm. Jim Grabowski, Comm. Joe Zompa, Comm. Ryan Lange, Comm. Cheryl Mantz, Trustee Craig Roberts, and President Jeff Knutson.

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

2. PUBLIC HEARING
   a. Conditional Use Grant request to construct a new, 30 foot tall, wireless telecommunications support structure with facilities extending up to 32 feet + 6 inches in overall height on the property located at 161 W. Wisconsin Avenue. The property owner is Siepmann Development Company. The applicant is Keith Nyman as agent on behalf of Verizon Wireless.

   Mike Bernhardt @ 321 Park Hill Drive – Mr. Bernhardt asked where the tower is located. Planner Censky responded stating it is at 161 W Wisconsin Ave, in the parking lot behind the building.

   b. To locate a boat lift and pier sales, service, repair and storage and boat storage use on the existing site and in one of the existing buildings located at 230 Sussex Street. Applicant/property owner is 230 Sussex Street LLC in c/o Rick Ruzga and Sam Ruzga d/b/a Lake Country Barge. The property is Zoned B-5 Light Industrial District.

   Sue Zenda @ 111 Ormsby St – Ms. Zenda stated she is concerned with the additional traffic impact of this business.

   Rick Ruzga – Applicant for CUG at 230 Sussex Street – Mr. Ruzga stated that he just wanted to introduce himself to the Plan Commission and tell the Plan Commission thank you for their consideration.

   Nick Wellenstein @ 409 Park Ave – Mr. Wellenstein stated he owns the property across the street and is also part owner of 230 Sussex Street. He stated this property has been abandon for 10 years or longer; the condition of the building was bad and he is excited to have a company willing to come in.

   c. To locate a sub sandwich type dine-in/carryout restaurant in 1,500 sq feet of space within the existing approved multi-tenant building located at 1450 Capitol Drive/Building 2/tenant space “D”. The property owner is Meadow Ridge Shops LLC. The applicant is Chung Lo on behalf of a Jersey Mikes franchisee. The property is Zoned B-1 Community Business District with a PUD Planned Unit Development District Overlay.

   Tracy Ambrose @ 321 Park Hill Dr. – Ms. Ambrose asked where this property is. President Knutson stated it is the development east of Associated bank.

3. Citizen Comments
   Sue Zenda @ 111 Ormsby St – Ms. Zenda asked if it was true that the rezoning of the property at 1450 Capitol Drive would make improvements to accommodate additional traffic. Planner Censky stated yes, the public improvements accommodation has been made.

4. Approval of Minutes
   a. October 11, 2018 Minutes
Comm. Grabowski moved, seconded by Trustee Roberts to approve the October 11, 2018 minutes with the following changes on page two on line 5 of item B:
“"The district will need to maintain the road at a poser #5 rating on a regular basis."

Motion carried 6-0-1 with Comm. Mantz abstaining.
5. **OLD BUSINESS**
None.

6. **NEW BUSINESS –**
   
   a. **Discussion and possible action on the Sign Code waiver request to install a 52 square foot, roof mounted sign on the multi-tenant commercial/business building located at 1099 Quail Court.** The applicant is Robert Hacker of Bauer Sign Company on behalf of the business occupant Designs in Marble. The property owner is 1099 Quail LLC.

   Planner Censky stated this item is a request for a sign waiver. This building is a multi-tenant building where Designs in Marble occupies the entire 1st floor and the 2nd floor is unoccupied. This sign is 60 sq. ft. which is bigger than the 30 sq. ft. allowed by code per street frontage, per tenant. The grade of the building and the setback of the building make it hard to see depending on which way someone is traveling on Capitol Drive. Censky suggested a pole sign be considered and the recommended conditions were read. Planner Censky responded to Comm. Lange stating this would not be the first Sign Code waiver granted along Capitol Dr., particularly on the south side of the road where buildings are setback rather far in many cases. She noted that consideration of these waivers typical take into account the scale of the building and architecture, and the visibility challenges. Comm. Zompa stated the building already has a large sign on it in the front (i.e., Quail Ct. side) and noted that a lot of the other businesses have monument signs to help with visibility along Capitol. Trustee Roberts stated, yes other businesses have monument signs. Planner Censky responded to Comm. Mantz stating this would be the only roof sign she can recall in the Village. Comm. Grabowski stated he has concerns of precedence and he would be more inclined to approve a monument type of sign. The Owner of the building responded to Comm. Lange stating they considered a post mounted sign but with the elevation, he thinks it would have to be a huge sign. Planner Censky responded with some elevation and size information about the site as compared to Capitol Dr. Trustee Roberts stated all signs on Quail are challenging, he doesn’t want to set precedent. Comm. Rogers stated he isn’t concerned with the size but given the 2nd floor is not occupied, what will they do in terms of a sign.

   Comm. Mantz moved, seconded by Comm. Zompa to deny the Sign Code waiver request to install a 52 square foot, roof mounted sign on the multi-tenant commercial/business building located at 1099 Quail Court.

   **Motion Carried 7-0**

   b. **Discussion and possible action on the Conditional Use Grant request to construct a new, 30 foot tall, wireless telecommunications support structure with facilities extending up to 32 feet + 6 inches in overall height on the property located at 161 W. Wisconsin Avenue.** The property owner is Siepmann Development Company. The applicant is Keith Nyman as agent on behalf of Verizon Wireless.

   Planner Censky stated this item is an existing pole on the Siepmann Property, currently the pole has a height of 20’. Verizon approached the Village about replacing the existing pole with a new structure that can bear the mounting of various antennas and related equipment, along with the light fixture, in the same spot but increasing the height of the pole to 30’6”. According to the wireless ordinance adopted a few years back, any new wireless structure that requires a CUG needs to have an offset equal or greater in number as the height of the pole. Censky noted that currently the Village has some light poles that are 35’ tall and do not comply with these standards. The staff could reach out and see if the adjacent land owner wanted to give an easement in approved parking area plans and we have no fall zone offset requirement for those types of poles. Wireless facilities are not, for the most part, allowed to be judged on aesthetics but the Commission could recommend conditions if they are directed toward a safety issue such as requiring bollards if deemed necessary. Planner Censky read the recommended conditions. Discussion followed and the consensus was to get the Village Engineer’s review on this item as to pole/equipment integrity before making a final decision.

   Comm. Zompa moved, seconded by Comm. Grabowski to table the Conditional Use Grant request to construct a new, 30 foot tall, wireless telecommunications support structure with facilities extending up to 32 feet + 6 inches in overall height on the property located at 161 W. Wisconsin Avenue and to have the Village Engineer review the proposed offsets and pole/equipment integrity design plans for reliability and give the Plan Commission feedback.

   **Motion Carried 7-0**

   c. **Discussion and Possible Action on the Conditional Use Grant request to locate a boat lift and pier sales, service, repair and storage and boat storage use on the existing site and in one of the existing buildings located at 230 Sussex Street.** Applicant/property owner is 230 Sussex Street LLC in c/o Rick Ruzga and Sam Ruzga d/b/a Lake Country Barge. The property is Zoned B-5 Light Industrial District.

   Planner Censky stated this is an existing piece of real estate which has one building that is very decayed and with little hope of being restored but the other building on the north has the ability to be brought back into economic use. The south building and land immediately surrounding it will not be used. The back third of the north building will be for seasonally storing boats in cold storage. The mid part of the building is a heated space and will be used for some fabrication/assembly/maintenance of their own business
related boats and equipment. The front portion of the north building will become an office. The business hopes to begin developing a retail element accessory to their barge business and the assembling/fabricating boat lifts and docks down the road and would like a portion of the site approved for outdoor display for that part of the business. The business has a lot of outdoor storage but no screening unless added by the applicant. The applicant would like the flexibility to store items outside; Censky suggested the applicant put up a fence and add some landscaping so that the outdoor storage element of the business is within an enclosed area. The hours requested are customary business hours and she noted that there is adequate onsite parking available for employees and on street parking is also available. The lot was showed on the screen. The applicant stated the traffic will be minimal; deliveries every 2-3 weeks, light retail at maybe 3 people a week, maybe eight employees on site as most employees meet at the job site not the shop. The applicant responded to Comm. Rogers stating currently there will be 20 boat lifts stored, the business picks up and brings the lifts to the shop where the lifts are stored. They would store approximately 30 boats in the cold warehouse. The customers coming in to drop off boats would be at a rate of about one per day over a 30 day period during the Fall and Spring seasons. The applicant responded to Comm. Zompa stating the only noise or hazard they would have would be the noise of an impact wrench. The applicant responded to Comm. Grabowski stating there would only be a small amount of welding, nothing major; most maintenance done is routine. President Knutson asked how big the barges are and the applicant stated the size range is 8’ – 11’ at the biggest, they keep the barges on the water from March – July as they are using them. President Knutson asked if they had to shut down the road; the applicant stated they follow DOT regulations as large loads and this is only a couple times/year so he doesn’t believe this will impact the traffic. Planner Censky responded to Comm. Mantz stating there would be fencing and landscaping together as a part of her recommended conditions. Censky responded no to Comm. Lange, there is no fence currently. Comm. Grabowski stated he wants to keep the front aesthetically pleasing. Trustee Roberts stated this is light industrial and he likes that someone wants to move in, his only concern is the screening; the racking is tall and he wants to make sure there is screening so that as other areas get developed the storage is not visible and it is contained. The applicant stated that their inventory is such that the high rack probably will not be used. They are excited to become good neighbors. 

Comm. Zompa moved, seconded by Comm. Mantz to approve the Conditional Use Grant request to locate a boat lift and pier sales, service, repair and storage and boat storage use on the existing site and in one of the existing buildings located at 230 Sussex Street with the following conditions:

1) Approval of this Conditional Use Grant will immediately void any previously permitted or approved uses of the property, whether these previous uses may have been implemented on/at the site or not, it being understood that there is presently no approved/permited use in operation on/at this site;
2) All unenclosed storage of owned boats, docks, lifts, materials, equipment and supplies shall be located only in the northside and back of building open spaces east of the proposed fences/gates, and in the existing racking on the site;
3) No occupancy of the building or site shall be permitted until the conditional use grant and related land covenant have been fully executed and recorded in the Register of Deeds office;
4) Applicant shall receive an occupancy permit/approval from both the Fire Chief and Building Inspector for the north building and land surrounding it, prior to issuance of the conditional use grant;
5) Applicant to install a 6 foot tall fence with gate, extending from the north side of the building at the east end of the office section and extending north to the north side of the existing pavement. From the north end of this fence extending north to the north lot line then wrapping east along the north lot line, the applicant shall design a landscape screening plan (for review and approval by Village Staff prior to issuance of the CUG permit) to screen the views into the back areas from the west/northwest;
6) A new HVAC and/or utility equipment (rooftop, wall mounted and/or on-grade) at this site shall be painted or screened as to blend in with, or to screen it from, the surrounding view, the plans for such to be reviewed and approved by Staff prior to installing the equipment;
7) The applicant agrees that the south building on this site and the land immediately surrounding it are not approved for any use or occupancy under this conditional use grant. If at any time this south building is razed/removed, any use of the remnant open space shall be subject to prior review and approval by the Planning Commission. If the removal of the south building results in a conspicuous, unscreened view into the back working/storage area of the site, the Village may request that the applicant take steps to design/install a new screening system (subject to prior review and approval by Village Staff) to address the issue at that time;
8) The dumpster storage location shall be relocated to the east side of the building;
9) All exterior finishes upon all of the buildings shall be repaired and repainted to the extent necessary as will ensure that there is no missing or peeling paint, missing roof materials, broken or cracked windows, exterior materials breakdown, ... prior to use occupancy;
10) The landscape planting/screening plan shall be fully installed in a workmanlike manner not later than 3 months following the start of building occupancy at this site;
11) The required fencing/gates shall be installed prior to use occupancy;
12) Signage shall remain as is and no others unless permits are first issued for any new signage;
13) Provision in the Conditional Use Grant document that any substantiated adverse impacts upon the surrounding neighbors or the Village as a whole which arise as a result of this use shall be the responsibility of the owner to correct timely upon notice from the Village and the owner acknowledges that failure to do so may result in action toward modification and/or termination of the Conditional Use approval.

Motion Carried 7-0

d. To locate a sub sandwich type dine-in/carryout restaurant in 1,500 sq feet of space within the existing approved multi-tenant building located at 1450 Capitol Drive/Building 2/tenant space “D”. The property owner is Meadow Ridge Shops LLC. The applicant is Chung Lo on behalf of a Jersey Mikes franchisee. The property is Zoned B-1 Community Business District with a PUD Planned Unit Development District Overlay.

Planner Censky stated this is a proposed sub shop with some dine in and carry out in building two on Lot 1 of the PUD. This use is within code as a CUG. When the applicant submitted the application there was no mention of outdoor seating but, since the application submittal date, the applicant has expressed interest in having outdoor seating. The proposed hours of operation are customary, the recommended conditions were read. Mary stated she doesn’t know the exact scale of the proposed outdoor seating area that the applicant will be proposing but the site itself dictates that it will be incidental in scale attendant to this tenant space. Trustee Roberts stated that this property is already approved with a restaurant and he is ok with staff approval as to the outdoor seating area details. Comm. Zompa stated he would like the staff to make sure that the proposed outdoor seating area be reviewed with, among all the other details, an eye toward ensuring that full handicap accessibility is maintained.

Comm. Grabowski moved, seconded by Comm. Zompa to approve a sub sandwich type dine-in/carryout restaurant in 1,500 sq feet of space within the existing approved multi-tenant building located at 1450 Capitol Drive/Building 2/tenant space “D” the following conditions:

1) Recording of the Conditional Use Grant prior to use occupancy;
2) Building occupancy being first granted for this new construction building (lot #1/Building #2) in accordance with the terms of the underlying PUD that controls this site;
3) Applicant to secure all necessary building permits prior to the start of any interior build out or remodeling activity attendant to this use in this particular space;
4) Any proposed signage attendant to this use shall first be reviewed/approved by Village staff and/or Planning Commission if/as necessary, and related permit(s) issued, prior to the installation thereof.
5) Staff approval is needed for the outdoor seating area plan which includes ensuring that sufficient handicap access is maintained.

Motion Carried 7-0

e. Discussion and possible recommendation to the Village Board to rezone a portion of the property located at 430 Oakton Avenue from B-2 Downtown Business District to B-5 Light Industrial District to clean-up address apparent mapping error as zoning district line runs through an existing building. This is a Village initiated item. The property owner is Anna Heise Trust.

Planner Censky showed the area of 430 Oakton Avenue on the screen which showed the 46’ foot wide piece proposed to be rezoned. There have been various inquiries over time about different possible occupancies this building/site. This property is one contiguous property, so the multiple zoning classifications across the one parcel and one building is believed to be a mapping error. The use of this land/building has been industrial and the property owners also feel it was an error.

Comm. Zompa moved, seconded by Comm. Rogers to approve recommendation to rezone a portion of the property located at 430 Oakton Avenue from B-2 Downtown Business District to B-5 Light Industrial District to the Village Board.

Motion Carried 7-0

f. Discussion and possible direction/feedback to staff on the topic of adding the use “contractors yard” to the B-5 Light Industrial Zoning District.

Planner Censky stated she brings this item to the Plan Commission to discuss the B-5 Light industrial zoning language. Staff has received calls on occasion and including recently about construction shops and construction contractors yards as a principal use. It is a use that is not explicitly provided for as a use in any District in the Code presently and she wonders, does the Commission want to consider adding it? Planner Censky showed the B-5 zoning throughout the Village on the screen. Censky stated there are some pre-existing trade contractors such as one up on Cecilia at the curve by Hwy. 16, Wellensteins on Sussex,... Censky suggested that if the
Planning Commission favors adding this use(s), it should probably as a conditional use with some predetermined conditions that must be met in all cases. Discussion followed. Commissioners did not favor adding the outdoor yard/storage area as a use unto itself but rather as a subordinate/accessory use to the principal use of contractors’ business office and/or contractors shop. The Commission recommended that Staff work on a preliminary draft for consideration and bring it back at a future meeting.

7. **Citizen Comments**

   **Robert Hacker with Bauer Sign Company – Mr. Hacker** asked who to talk to about what is acceptable as far as signs. President Knutson stated that Planner Censky or Administrator Gosse would be able to help if he gives them a call during the business day.

8. **Adjournment**

   Comm. Rogers moved, seconded by Trustee Roberts to adjourn. Motion carried 7-0.

   Meeting adjourned at approximately 8:27 p.m.

Respectfully Submitted,

Cassie Smith
Deputy Clerk/Treasurer