

In attendance:

Mayor S. Bierce, Alderwoman C. Brown, D. Kiser, D. Linsmeier, and A Schoenemann.

Also in attendance:

City Planner & Community Development Director N. Fuchs, Administrator S. Klein, Department of Public Works Director M. Wagner, and Deputy Clerk/Community Development Coordinator A. Hurd.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 6:00pm and requested everyone stand for the Pledge of Allegiance

2. Discussion and Action Regarding the Revised Building Elevations, Shed, and Trash Enclosure Plans for The Courtyard at Pewaukee Property Located at the Northwest Corner of Golf Road and Meadowbrook Road (PWC 0940999001)

Mr. Fuchs stated the development was approved in May of 2023 and the applicant has made some changes to the building elevations, roof lines, and building materials. The front entrance has a new design and the amount of stone on the building has been reduced.

A motion was made and seconded (D. Kiser, C. Brown) to approve the revised plans for The Courtyard at Pewaukee. Motion Passed: 5-For, 0-Against.

3. Discussion and Action Regarding a Recommendation to the Common Council for a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for the City of Pewaukee for Shorepoint Church for Property Located on the Southwest Corner of Duplainville Road and Capitol Drive From Medium Density Residential (6,500 Sq. Ft. - 1/2 AC/D.U.) and Floodplains, Lowland and Upland Conservancy, and Other Natural Areas to Government/Institutional and Floodplains, Lowland and Upland Conservancy, and Other Natural Areas (PWC 0912983, PWC 0912984, PWC 0912985)

Mr. Fuchs stated the proposed church was approximately 27,745 square feet with a capacity for 600 worshipers and includes a multipurpose room, office space, and classrooms. He noted there were some concerns with access and traffic, and he stated they would like to see the access on Duplainville Road shifted further south, as the current proposed location would be difficult to maintain visibility. Ideally, the access would be located on the adjacent property to the west where traffic would have full access to take a left or right on Capitol Drive.

Chairman Bierce opened the public hearing at 6:10pm.

Adam Neylon, (1357 Lake Park Court) State Representative, stated he attends Shorepoint Church and supports this project and felt it was worth consideration. He stated Shorepoint Church wants to be a lighthouse that guides people to the community.

Brian Engl, Pastor for Shorepoint Church, felt they should use the Wethersfield access through the farmer's property for access, and he has done everything he knows to do to see that happen. They have

also discussed speed bumps or a gate to deal with the traffic, although according to the TIA and the recommendations from the DOT, he did not believe traffic would be a major issue.

Andrew Falkenburg (N17 W27348 Lakefield Drive) stated he was a member of the church and supports the plan. He felt the 500 to 600 attendees weekly would create an economic boom in Pewaukee.

Barb Harmann (935 Quinlan Drive A) stated she supports the church proposal and noted the church cannot function at its full potential at their current location. She noted that Shorepoint Church also supports the Pewaukee businesses and gives back to the community, and she felt it would be an asset to the area.

Christine Bannister Welch (N40 W22575 Overhill Lane) stated she attends Shorepoint Church and was excited to be part of the growth of Pewaukee.

Mayor Bierce closed the public hearing at 6:24pm.

Ms. Wagner noted that Duplainville Road had just been repaved, and there is a moratorium that no one can cut into the road for three years. The moratorium expires in 2026. Sanitary sewer is present and there is a lateral, but the water main is on the east side of Duplainville Road so they would have to cut into Duplainville Road. The church would not be able to have occupancy until 2026 because of this.

Chairman Bierce felt traffic was still a huge concern. He felt the U-turns on Capitol Drive would be a complete mess, especially with all of the other churches leaving at the same time.

Commissioner Brown referred to the volume chart of the TIA and felt a change from zero U-turns in the area to 75 was a significant change and felt it would cause an issue. She was also concerned about the 2050 Land Use Plan and the A-1 lands in the area. She felt the land zoned A-1 in the area would be landlocked if the church goes in, because there would no longer be an exit to Duplainville Road. Commissioner Kiser felt Capitol Drive was a State road and was made to accommodate this.

Commissioner Brown did not think there was enough dimension on either side of the church. She did like the front and the angels, as well as the colors. She felt there was not enough landscaping next to the building on the east and west sides, as well as the south rendering. Commissioner Brown added that she was not in favor of closing the Wethersfield access.

Chairman Bierce stated he agreed with the architectural aspects and did not like the back of the building.

Commissioner Schoenemann felt the building looked handsome with all of the ornamentation in front, and she did not mind the east elevation. She suggested adding some ornamentation on the west side of the building coming from Capitol Drive that would mimic the wood columns.

Commissioner Kiser noted that windows would typically be required on the east, west, and south elevations.

It was noted that TADI did the preliminary traffic report, but the State is still reviewing the report, and the final comments have not yet been received. Commissioner Brown mentioned that she wanted to keep the Duplainville Road access no matter what exit there may be onto Capitol Drive. Mr. Fuchs noted the location on Duplainville Road has not yet been determined. Chairman Bierce was under the impression that there would more than likely have to be an access on both Capitol Drive and Duplainville Road.

Ms. Wagner mentioned that the storm water management process still needed to be reviewed. The concern is going to be how the restoration occurs.

Commissioner Linsmeier stated he had no problem with the use, but the ingress and egress of the site was his issue. He felt the project could not move forward if they could not get access onto Capitol Drive.

A motion was made and seconded (D. Linsmeier, A. Schoenemann) to table Items 3, 4, 5, and 6 for Shorepoint Church. Motion Passed: 5-For, 0-Against.

4. Discussion and Action and Public Hearing for Shorepoint Church to Rezone Vacant Property Located at the Southwest Corner of Duplainville Road and Capitol Drive and Property Located at N34 W22407 Capitol Drive from Rs-1 Single-Family Residential to I-1 Urban Institutional, and to Rezone Property Located at W223 N3481 Duplainville Road from B-3 General Business to I-1 Urban Institutional for the Purpose of Constructing an Approximately 27,000 Square Foot Church (PWC 0912983, PWC 0912984, PWC 0912985)

Action taken in Item 3.

5. Discussion and Action Regarding a Certified Survey Map for Shorepoint Church for Property Located at the Southwest Corner of Duplainville Road and Capitol Drive for the Purpose of Combining Three Existing Parcels in Order to Construct an Approximately 27,000 Square Foot Church (PWC 0912983, PWC 0912984, PWC 0912985)

Action taken in Item 3.

6. Discussion and Action Regarding the Site and Building Plans for Shorepoint Church for Property Located at the Southwest Corner of Duplainville Road and Capitol Drive for the Purpose of Constructing an Approximately 27,000 Square Foot Church (PWC 0912983, PWC 0912984, PWC 0912985)

Action taken in Item 3.

7. Discussion and Action Regarding a Recommendation to the Common Council for a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for the City of Pewaukee for Ken Weber Towing Service and Crossroads Church of Pewaukee, Inc. for Property Located at N27 W26541 Prospect Avenue from Government/Institutional to Retail/Service Commercial (PWC 0930985, PWC 0930984001)

Mr. Fuchs stated Ken Weber Towing Service was looking to acquire 1.2 acres of the Crossroads Church property and combine it with their existing property. At some point the applicant is planning on submitting a Site and Building Plan application in order to expand the storage and parking area further west on their property, as well as a possible building addition. Mr. Fuchs noted there is a condition for a 40-foot buffer yard adjacent to single-family residential, due to the different intensity of uses when the potential expansion occurs. The applicant was looking to have fencing within the 40-foot buffer yard and possibly reducing the 40 feet. The church will still meet the I-1 District standards, but the property line is getting too close to the parking on the church property, so there is a condition for the applicant to establish a ten-foot parking setback. Mr. Fuchs recommended approval.

Chairman Bierce opened the public hearing at 7:21pm.

Tim Langer (155 E. Capitol Drive, Hartland) stated he was the Attorney for the Weber's and stated this was an arrangement between neighbors and there would be no new development.

Karen Behl (N27 W26643 Lauderdale Drive) stated her concern was the increased noise and traffic. She felt the wooded lot provided a lot of buffer from the sound, and reducing the wooded lot would allow more sound to carry to their property and the properties on their street. Ms. Behl did not want a parking lot where all of the towed cars were being stored.

Paul Otto (N26 W26872 Prospect Avenue) stated there is a bit of noise with the business, but the unknown is even scarier because lately they seem to be working on some hobby items and there have been some really loud noises, like a race car.

Dorie Loescher (N27 W26676 Prospect Avenue) referred to the noise from the business, especially a car that has been revving up and there was a lot of banging. She requested there be no access drive on their shared lot line, as the trucks are left outside idling and they can hear it in their living room. Ms. Loescher requested a cleanup of the property and felt it was only a matter of time before Ken Weber's trees come down onto her property.

Mary Loescher (N27 W26676 Prospect Avenue) stated she has a condition where her hearing is more sensitive than the normal ear, and she has to wear noise-cancelling headphones in her own living room because she cannot handle the clanging and banging from the Ken Weber operations. She requested the noise level be toned down.

Leah Otto (N26 W26681 Prospect Avenue) stated a fence was required for sound a barrier when Ken Weber first moved in, but it does not work well, especially when there is revving and backfiring of cars over and over. Ms. Otto noted that the trucks were being kept outside of the gate idling for hours, as well as idling across the street.

Darrell Swift (N26 W26749 Prospect Avenue) stated the business is growing and the number of trucks has increased, as have the crashed-up cars. He questioned if the fluid from the cars was draining into the lake. Mr. Swift requested this be zoned back to residential and felt they should think about moving to a more industrial location that is more suitable for their type of business.

William Kessler (N27 W26609 Lauderdale Drive) stated periodically at 3am he hears the backup noise from the trucks. He requested the Commission not waiver from the 40-foot buffer. Mr. Kessler requested the Commission do what they can to protect the noise levels in the neighborhood.

Ken Weber, owner of Ken Weber Towing Service, stated if this request is approved, they will put another fence back up with whatever the City requires. He noted that the backup beepers are OSHA required and there is no way he can turn them off. He also noted that they do not bring any trucks to their shop that are leaking, and they only bring cars back. Mr. Weber mentioned that he had an issue with one of his on-call employees working on his car at the shop, and it has been addressed and will not happen again. Mr. Weber stated the trucks do not run for hours at a time.

Chairman Bierce closed the public hearing at 7:39pm.

Chairman Bierce felt this land would get developed into something no matter what. He stated the City rarely, if ever, hears complaints about this towing company.

Commissioner Brown felt the area looked more like a junk yard than a towing company, and she was concerned there may be more stock piling. She noted that the bump out of the wall is actually on the property line instead of ten feet from it, so she requested that it be addressed.

Commissioner Linsmeier question what would be done in the new area. Mr. Weber stated the goal is to clean it up and put in a decent buffer for the neighbors. He stated they also wanted to put in a second driveway.

Commissioner Brown agreed that a tree buffer would take the noise away. She wanted to put restrictions on where they could build out and wanted to see a more solid plan.

Attorney Langer stated they were requesting a 20-foot side yard setback and a 35-foot rear yard setback. He felt there would be a lot of undeveloped space with a 40-foot setback because they are required to have 40 percent green space as well. Attorney Langer then referred to page 2 of the staff report and requested the condition that the buffer yard be reserved for plantings only be stricken from the conditions.

Commissioner Schoenemann did not want the condition removed in the event that the applicant comes back with pavement and fencing for the area instead. Attorney Langer was concerned with the limitation of plantings only and noted they wanted to put their fence on the lot line.

A motion was made and seconded (C. Brown, D. Kiser) to approve keeping the recommendations from City staff. The motion was immediately rescinded.

A motion was made and seconded (D. Kiser, C. Brown) to recommend approval of the Comprehensive Master Plan Amendment for Ken Weber Towing Service. Motion Passed: 3-For, 2-Against (Schoenemann, Linsmeier).

8. Discussion and Action and Public Hearing for Ken Weber Towing Service and Crossroads Church of Pewaukee, Inc. to Rezone a Portion of Property Located at N27 W26541 Prospect Avenue from I-1 Urban Institutional to B-5 Highway Business (PWC 0930985, PWC 0930984001)

A motion was made and seconded (D. Kiser, C. Brown) to recommend approval of the Rezoning from I-1 to B-5 for Ken Weber Towing Service. Motion Passed: 3-For, 2-Against (Schoenemann, Linsmeier).

9. Discussion and Action Regarding a Certified Survey Map for Property Located at N27 W26541 Prospect Avenue and N27 W26560 Prospect Avenue for the Purpose of Attaching a Portion of the Crossroads Church of Pewaukee, Inc. Property to the Ken Weber Towing Service Property (PWC 0930985, PWC 0930984001)

A motion was made and seconded (D. Kiser, C. Brown) to recommend approval the Certified Survey Map for Ken Weber Towing Service including City staff recommendations. Motion Passed: 4-For, 1-Against (Linsmeier).

10. Discussion Regarding a Conceptual Review for Doug Kiser for the Review of a Proposed Private Park and Event Space for Property Located on Bluemound Road (PWC 0951995001)

Mr. Kiser discussed his plan for the vacant land that he has lived adjacent to since 1996. He and his neighbor would like to keep the property vacant and use it in its existing state and bring in two tents to rent

the property by the hour or by the day. It would most likely be rented April through October, and they will have port-o-pottys on the property. Mr. Kiser mentioned the various industrial and commercial properties in the immediate area that operate two to three shifts a day and essentially operate from 7am to 11pm. He noted that the parking lot would stay gravel as it is, similar to Ryan Park on Ryan Road.

Commissioner Linsmeier questioned how they would control who goes in and out of the property, and Mr. Kiser stated there is a gate along Bluemound Road.

Mr. Kiser stated they would not need to come to the City for a Special Event Permit, and noted that it is similar to event space, as they are only providing the outdoor nature. They are not personally holding the events, and it is simply a rental property without a dwelling on it.

Mr. Fuchs stated this would need a Conditional Use Permit moving forward, as it is an unclassified use and not specifically listed in the Zoning Code. This would allow the property to be used for an event business, and they would not have to get separate approvals for each event.

Commissioner Brown was worried about the property changing hands. Mr. Kiser stated if this does transfer to a new owner, the new applicant would have to come before the Plan Commission for a new use approval. Commissioner Schoenemann was concerned with the temporary aspect of it, especially without a permanent building. Commissioner Linsmeier felt this was more of a park.

Chairman Bierce felt this should be compared to the bars in the area, and the City holds them to a 9:00pm curfew, and he felt that is what should be done here.

No action was taken.

11. Discussion and Action and Public Hearing Regarding Revisions to Permitted Accessory Uses Within the Rs-1 District (Section 340-4.5B.), Rs-2 District (Section 340-4.6B.), Rs-3 District (Section 340-4.7B.), and Rs-4 District (Section 340-4.8B.), and Adding Section 340-2.9B.(2)(1) to the City's Accessory Use and Structure Regulations and Amending Section 126-3.A. Animal Regulations of the City's Municipal Code

Mr. Fuchs was directed to create an ordinance that allows chickens as a permitted accessory use in the Rs-1, Rs-2, Rs-3, and Rs-4 zoning districts. The amendment lists detailed standards in the accessory structure portion of the zoning code, so there would be a new section created for keeping and raising chickens.

Chairman Bierce opened the public hearing at 8:42pm. He closed the public hearing at 8:42pm after hearing no requests to speak.

Mr. Fuchs noted that residents would use the same form for chicken complaints that they would for property complaints. Commissioner Kiser referred to sections 1 and 2 and suggesting limiting complaints to written only, as verbal complaints could get into a he-said she-said issue.

A motion was made and seconded (D. Linsmeier, A. Schoenemann) to approve the revisions, amendments, and additions to the City's Municipal Code. Motion Passed: 5-For, 0-Against.

12. Adjournment

A motion was made and seconded (D. Kiser, D. Linsmeier) to adjourn the meeting at 8:47pm.
Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk/
Community Development Coordinator