

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, and Department of Public Works Director M. Wagner.

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 Possible Action Regarding Approval of Plan Commission Meeting Minutes

2.1 September 19, 2024

Commissioner Schoenemann stated she was at the meeting, but her name was not listed on the first page as being in attendance. She requested changing the minutes to reflect her attendance.

A motion was made and seconded (D. Kiser, A. Schoenemann) to approve the September 19th, 2024 Plan Commission minutes with the change discussed. Motion Passed: 5-For, 0-Against.

3. The Courtyard at Pewaukee as Requested by Andev Group (0940999001)

3.1 Discussion and Action Regarding a Time Extension Request for the Courtyard at Pewaukee Senior Living Facility Development Located on the Northwest Corner of Meadowbrook Road and Golf Road

Mr. Fuchs stated the applicant was continuing to work on financing and they are going through with the project but are coming up on some expiration dates. They have requested extending the approvals until September 19th, 2026. If building permits are not applied for by that date, staff would bring it back to the Plan Commission to revert the zoning.

A motion was made and seconded (C. Brown, D. Linsmeier) to approve the time extension request for Courtyard at Pewaukee. Motion Passed: 5-For, 0-Against.

4. Winkleman Farm Certified Survey Map, N47 W26699 Lynndale Road as Requested by Brian & Kevin Kazmierczak (PWC 0882999)

4.1 Discussion and Action Regarding a Certified Survey Map to Create a 5-Acre Parcel Containing the Existing Farmhouse, Barns and Outbuildings

Mr. Fuchs stated the property owner was looking to create a 35-acre parcel that would include the existing single-family home and farm buildings on the property. The remaining portion of the land would continue to be farmed and used for agricultural purposes. Mr. Fuchs noted that the applicant did go before the Plan Commission for a concept review to consider an industrial development. This portion was shown as single-family residential, so the CSM is changing it to this proposal. The layout would not impact the potential future development of the rest of the property.

Ms. Wagner noted that they would like to see a 40-foot utility easement that would allow future sewer and water for the development of the remaining parcel to extend to Greenhill Subdivision. The easement would need to be outside of the floodplain on the property, on Lot 1. Ms. Wagner clarified that the easement could not be in the public right-of-way because with the grade of the land, it would not be able to serve Greenhill. It would have to come from the south.

Discussion took place with Briohn Building regarding the location of the easement. Ms. Wagner stated the topography in the area was much higher than the Greenhill Subdivision, so they would not be able to serve any of the homes if the sewer and water was in Lynndale Road.

A motion was made and seconded (C. Brown, D. Kiser) to approve the Certified Survey Map for the Winkleman Farm with the addition of a 40-foot utility easement. Motion Passed: 5-For, 0-Against.

5. Smokexpress LLC/Cloud 9 Conditional Use Permit, N20 W22951 Watertown Road, Suite 105 (PWC 0958982004)

5.1 Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for the Purpose of Operating a Retail Tobacco and Vape Shop

Mr. Fuchs stated this was a request for a smoke and vape retail store within the Crossings development on Watertown Road. The tenant space was 2,113 square feet and the proposed hours would be Monday through Sunday from 9am to 10pm. They are not proposing any building or site changes but do plan to have signage. Mr. Fuchs recommended approval with the conditions that all other government approvals be obtained, the hours of operation would not extend past 10pm, the Conditional Use Permit would be subject to periodic review, signage must meet the sign standards, and any interior promotional displays or advertisements would not be done in a manner that would intend to be visible from the exterior.

Commissioner Brown referred to the business plan and stated the applicant noted they could do hours of 9am to 9pm. She was concerned about the signage and what she felt were typical smoke shop electric signs, and she noted that type of signage was not allowed in the City of Pewaukee. Commissioner Brown stated she would be comfortable pulling the Conditional Use Permit if blinking lights or that type of signage was added to the outside or inside.

Chairman Bierce saw no value for the community in this request. He stated he would never vote for bringing CBD into the community and would vote in favor of it only if the CBD was removed.

The applicant stated if people want to buy CBD, they can do so knowing the product is safe at this location and not laced with Fentanyl. He noted people use CBD for reasons other than recreational, such as cancer, pain, or Multiple Sclerosis, and he felt it was unfair for his patients to have to travel to other cities or states to get the product.

Commissioner Schoenemann questioned if there would be employee training and the applicant confirmed there would be. He noted that no one under the age of 21 would be allowed to buy anything.

A motion was made and seconded (C. Brown, D. Kiser) to recommend approval of the Conditional Use Permit for Smokexpress LLC/Cloud 9 with the conditions set by staff.
Motion Passed: 4-For, 1-Against (Bierce).

6. Adjournment

A motion was made and seconded (D. Linsmeier, C. Brown) to adjourn the meeting at 6:26pm. Motion Passed: 5-For, 0-Against.

Respectfully Submitted

Ami Hurd
Deputy Clerk
Community Development Coordinator