

In attendance: Chairman S. Bierce, B. Bergman, C. Coursin, T. Janka, D. Linsmeier (arrived at 7:01 PM), S. Sullivan and C. Wunder. Also present were City Administrator S. Klein, Community Services Director K. Woldanski, City Engineer J. Weigel, CDD/Senior Planner H.E. Clinkenbeard and Deputy Clerk A. Hurd.

1. Novus Agenda Training

City IT Director Bobby Kewan introduced the Commission members to the new software for minutes that will be implemented. The training and review of the functions took approximately 20 minutes.

2. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 6:58PM and requested everyone stand for the Pledge of Allegiance.

3. Approval of Plan Commission Meeting Minutes Dated June 15, 2017

A motion was made and seconded (C. Wunder, T. Janka) to approve the Plan Commission meeting minutes dated June 15, 2017.

Motion Passed: 6-For, 0-Against (D. Linsmeier was absent for this vote).

4. Discussion and Action Regarding a PUBLIC HEARING on the Petition of the City of Pewaukee to Amend the Text of the Rs-1, Rs-2 and Rs-3 Residential Zoning Districts in the City Zoning Ordinance to Allow and Regulate the Keeping of Domesticated Fowl within those Three Districts

The Plan Commission had discussed this matter in previous meetings regarding the possibility of changing the ordinance. Currently, chickens are only allowed on five acre residential lots with a conditional use. The ordinance allows for chickens as pets or for eggs or meat with no roosters, the chickens must be kept in pens and buildings must be built up to City standards. All abutting property owners must give permission and activity must be in keeping with the homeowner's association. The petitioner must receive City Planner approval of the site plan and Plan of Operation including a plan for the waste disposal and recycling.

Mr. Clinkenbeard clarified that under section 1, there is a minimum of five acres, under section 3 there is a minimum of two acres, and under section 4 there is a minimum of one acre. The amount of chickens that can be kept on one acre is ten, 15 chickens on a two-acre lot, and 20 chickens on a five-acre lot. The proposal is to amend the conditional use section of the Rs-1 district, which is the five-acre district, to allow 15 fowl other than chickens. The Plan Commission would need to decide what

kind of fowl they would allow.

Chairman Bierce opened the public hearing at 7:00 PM.

Cindy Kopecky (N31 W22087 Shady Lane) questioned what the next step would be. Mr. Clinkenbeard stated it will go to the Common Council on August 7th because it is an ordinance and the Plan Commission is a recommending body.

Chairman Bierce then closed the public hearing at 7:02 PM.

Mr. Sullivan stated he has issues with the fowl and he was not in favor of something like an ostrich or a peacock. He suggested starting off with chickens, and he felt the amount could be reduced by five in each group.

Mr. Janka noted that fowl could also mean ducks and geese, and they are both noisy.

Mr. Bergman stated he would take one and three just as they are. He felt five acres with 20 chickens is fine. He did not want chickens on a one-acre lot.

Mr. Janka noted that chickens create odor and attract animals. He wanted to see chickens on a two-acre lot by conditional use only.

Mr. Sullivan questioned what happens if the chickens start to stink and he questioned what recourse the City would have. He felt it would be better to have as a conditional use.

A motion was made and seconded (S. Sullivan, D. Linsmeier) to have a conditional use for all three lot sizes, and reducing the one acre lot to five chickens, reducing the two acre lot to 10 chickens and five acre lot to 15 chickens, and getting rid of section 4 regarding fowl all together.

Mr. Bergman questioned conditional uses on the high end in the five acres. That is where we know people already have chickens in Pewaukee.

The motion was amended (S. Sullivan) and agreed to by the second (D. Linsmeier) to not require a conditional use on a five acre lot.

Amended Motion Passed: 4-For, 3-Against (Coursin, Janka, Wunder).

5. Discussion and Action Regarding a PUBLIC HEARING on the Petition of the City of Pewaukee to Amend the Text of the B-2, B-3 and B-5 Business Zoning Districts in the City Zoning Ordinance Regarding the Allowance of the Sale of Beer and Wine at Petroleum Service Stations

Mr. Clinkenbeard stated the City currently does not allow alcoholic beverages to be sold at petroleum service stations. The proposed ordinance takes the wording out of the three areas that have the wording regarding alcohol.

Chairman Bierce opened the public hearing 7:19 PM. There being no requests to speak, Chairman Bierce closed the public hearing at 7:19 PM.

Mr. Janka asked what neighboring communities do, and Mr. Clinkenbeard stated almost every community in this area allows the sale of alcoholic beverages.

Mr. Bergman was concerned about the language and wanted only the sale of beer and wine and not liquor. The wording could be changed to “only selling beer and wine”.

A motion was made and seconded (B. Bergman, C. Wunder) to accept the amendment of the text of B-2, B-3 and B-5 business zoning districts with the change so that it reads "selling only beer and wine".

Motion Passed: 7-For, 0-Against.

**6. Discussion and Action Regarding a Petition for a Conditional Use Permit
PUBLIC HEARING for Ms. Jamie LeFever to Place a Hair Salon and Bar in the
Old Restaurant Building Located at W279 N2221 Prospect Avenue (PWC
0938995)**

Mr. Clinkenbeard stated this was the old Slice ‘N Dice restaurant.

Mr. Cory LeFever stated upstairs would be a traditional hair salon. In the basement would be a medi-spa, like a high-end spa, with tattoo makeup and removal, not an actual tattoo parlor. There will also be medical injections such as botox.

The bar will not be open to the public and is for customers only. The salon will host bridal parties that come in to get their hair done and they want to be able to offer champagne. The alcohol will be part of the salon services.

The hours will be primarily Monday thru Friday 9:00 AM to 9:00 PM and Saturdays from 8:00 AM to 3:00 PM.

The petitioners are buying the building and the current owner will be leasing a portion of the parking lot for his Edgewater property. The parking lot lease guarantees the salon a certain number of spots during their open and busy hours and guarantees Edgewater spots during the evening during the prime bar/restaurant hours. The rest of the time it will be a shared lot.

Mr. Clinkenbeard noted that a secondary building access was needed due to the use of the basement.

Chairman Bierce questioned if they could make it so that they could not open a full tattoo parlor, and only do makeup. Mr. Clinkenbeard noted that it was a conditional use, so they could put those conditions on it.

Chairman Bierce opened the public hearing at 7:35 PM. There being no requests to speak, Chairman Bierce closed the public hearing at 7:35 PM.

Mr. Sullivan questioned if any outside work would be done. Mr. LeFever stated there will be a new entrance and the building will be painted. The canvas door entry will be eliminated and the roof will be redone.

A motion was made and seconded (T. Janka, C. Coursin) to approve the conditional use permit for Ms. Jamie LeFever to place a hair salon and bar at W279 N2221 Prospect Avenue conditioned on the Plan Commission's wording to the Council.

Motion Passed: 7-For, 0-Against.

7. Discussion and Action Regarding a PUBLIC HEARING for the Proposed 2050 Land Use/Transportation Plan for the Swan Road Neighborhood as a Part of the City's Comprehensive Plan (Map #3)

Mr. Clinkenbeard gave some background information regarding the neighborhood plans. The only change that was made was an area changed to medium density, and an area changed from an acre or more land use to a half acre of land use. That adds a total of about 12 dwelling units difference between the two plans and about 30 people.

Chairman Bierce opened the public hearing at 7:48 PM. There being no requests to speak, Chairman Bierce closed the public hearing at 7:49 PM.

Mr. Sullivan stated he had some concerns about the traffic in the area and making smaller lots. He felt the intersection of Lindsay Road and Swan Road was a dangerous intersection and he was not in favor of the switch.

Chairman Bierce agreed with Mr. Sullivan in keeping the plan the way it was. Mr. Linsmeier agreed as well.

A motion was made and seconded (D. Linsmeier, S. Sullivan) to approve the 2050 Swan Road Neighborhood Plan to match the current adopted 2035 plan.

Motion Passed: 7-For, 0-Against.

8. Discussion and Action Regarding a PUBLIC HEARING for the Proposed 2050 Land Use/Transportation Plan for the Springdale Neighborhood as a Part of the City's Comprehensive Plan (Map #7)

Mr. Clinkenbeard gave some background information about the Springdale Estates subdivision and the area. He then discussed the roads in the area. He noted that almost all of the area is medium density. Mr. Clinkenbeard then described lot sizes in the various districts.

Chairman Bierce opened the public hearing at 8:00 PM.

Mr. Ron Weix (W222 N2267 Glenwood Lane) stated some people received copies of the notice but he did not. Mr. Clinkenbeard noted that they were sent to the people whose land was directly affected. Mr. Weix referred to the traffic problem caused by railroad tracks and felt a round-about would not do anything. Discussion took place regarding the traffic.

Mr. Ernie Mackie (N26 W22141 Glenwood Lane) stated his backyard abuts the Esser property. He questioned what was going on with the plan. Mr. Clinkenbeard noted that he spoke to Mr. Esser and he is interested in selling the land and seeing it developed into residential use like what is in Springdale Estates. Discussion took place regarding the side yard setbacks.

Paul Petterson (W226 N1619 North Avenue) referred to the trains and the traffic problem on North Avenue and Watertown Road and said it was a severe problem. He questioned what the City could do relative to that intersection. Mr. Clinkenbeard noted that portion of the road was a County road and he stated the City could contact the County to see about the possibility of putting in stop lights.

Mr. Troy Jilot (N26 W22105 Glenwood Lane) questioned if there would be an entrance coming off of Springdale Road. Mr. Clinkenbeard stated he only added one entrance. Mr. Jilot questioned if a road could be put in his backyard and Mr. Clinkenbeard stated that would not be done. He noted that area would be medium density and is proposed for single-family, but it could be multi-family. Mr. Jilot felt the entire subdivision should get a letter in the future.

Mr. Mark West (W220 N2615 Maplewood Lane) felt more properties would add to the traffic congestion from the trains and he felt it would not be the best idea. Mr. Clinkenbeard suggested keeping it as low of a density as possible.

Mr. Chris Lambrecht (W222 N2284 Glenwood Lane) questioned the total number of dwelling units. Mr. Clinkenbeard stated Springdale would go up to 2,267, based on the amount of developable land. There would be two to two and a half dwelling units per acre, as compared to Springdale Estates that currently has three dwelling units per acre. He noted that the regional plan calls for a transit service along the main arteries.

Chairman Bierce then closed the public hearing at 8:24PM.

A motion was made and seconded (T. Janka, C. Wunder) to approve the 2050 Land Use/Transportation Plan for the Springdale Neighborhood.

Motion Passed: 7-For, 0-Against.

9. Discussion and Action Regarding the Building, Site Plan and Plan of Business Operation for an Addition to the Kwik Trip Service Station and Convenience Store Located at W229 N2086 Redford Blvd. (PWC 0958979016)

Wayne with River Valley Architects stated the 40 percent green space requirement has been met. Mr. Clinkenbeard recommended approval of the submittal if they met the 40 percent green space requirement.

It was noted that all colors and materials will be matched. The dumpster enclosure will be getting an upgrade to match the existing building materials to the brick. The new section will have a mechanical unit and it will be screened by the existing building.

A motion was made and seconded (C Coursin, S Sullivan) to approve the building, site plan and Plan of Business Operation for an addition to the Kwik Trip service station and convenience store located at W229 N2086 Redford Blvd.
Motion Passed: 7-For, 0-Against.

10. Discussion and Action Regarding a Conceptual Building, Site Plan and Plan of Business Operation for the Proposed ICAP Development of an Industrial Building on the Easterly Legend Bakery Parcel Located at N8 W22100 Johnson Drive (PWC 0961996004)

Brian Adamson with ICAP Development stated they were going to purchase the vacant four-acre parcel on the easterly side of the existing Legacy Bakery property. They are proposing a roughly 40,000 square foot multi-tenant industrial building.

The tenant sign will be a niche hub panel, and there will be fully integrated precast and integrated color.

Mr. Clinkenbeard pointed out that there was a problem with this lot as it was meant to be an expansion lot for what used to be Pinah's Bakery. The land is part of the 40 percent greenspace requirement for what is now the Legacy Bakery, and if this lot gets developed, they will not meet their 40 percent greenspace. The other problem is that Legacy Bakery put their easterly access on an adjacent lot owned by the Majestic Theater. There is apparently an easement for it.

Mr. Adamson stated their greenspace requirement is calculated solely on their property, and it is 40.4 percent. There is a recorded, irrevocable access easement between the Marcus property and this property that also provides access to the Legacy Bakery site as well. He noted they could move their access to a different spot on Johnson Drive, but they wanted to limit the amount of access points onto a public road.

Mr. Adamson confirmed that the two properties were truly subdivided and they are two separate legal lots. They can be transferred.

Mr. Clinkenbeard again noted that the intent was that part of this lot was to be used as the greenspace for Legacy Bakery. The greenspace on the two lots together would be 40 percent, but with the lot being developed by ICAP, between the two lots, it is well

shy of the 40 percent green space. All of this took place after we had the green space requirement in our ordinance.

Mr. Clinkenbeard questioned if they could get by with three and a half acres, but Mr. Adamson stated they would then have to subdivide lots and the economics would become difficult.

City Administrator Scott Klein stated they knew when Pinah's built that the land was their expansion land. Pinah's knew if they expanded that they would have to change their greenspace. According to the County, the lot line has been taken away and there is only one tax key number on the two lots. The City could now require the two lots to join to become conforming.

The Plan Commissioners were in agreement that they liked the design of the building and the use.

11. Discussion and Action Regarding the Conceptual Plan by the Neumann Company for a Proposed 25 Residential Duplex, 50 Unit Development Located on Golf Road and Meadowbrook Road (PWC 0940999001)

Mr. Matt Neumann with Neumann Companies and Mr. Brian Depies with SEH were present.

Mr. Clinkenbeard stated the City's intent here was to save the wetlands and the floodplains, and that is being done. When the subdivision next door was put in, it was proposed that this site would not be either multi-family or commercial sites. He felt this proposal was way too dense to be connected to the single family subdivision. The intent was to have a cul-de-sac on this property with 12 or 13 lots that would have access thru the subdivision and would be single-family. There would also be no access to Golf Road. Mr. Clinkenbeard recommended rejecting this proposal as it is not within keeping of what is on the City's plan.

Mr. Neumann stated they are looking for every possible property in the City of Pewaukee to try to bring in more housing because there is a demand for people to be in the City and there are not many vacant home sites available for construction. Having some sort of use transition as you go from single-family into County highways and into an interstate makes sense in normal land planning. The future land use plan for this area is medium density residential housing and the proposal is for 50 units on 15 acres of upland area. The density is just over three units per acre, so they are on the lower end of the density for this property.

Discussion then took place regarding the access to the property onto Golf Road. Mr. Neumann did not believe the neighboring subdivision would want construction traffic going thru their neighborhood, so he felt getting an access off of Golf Road made sense. He did not believe the residents would want full access to their neighborhood. Mr. Clinkenbeard noted that this would have to be done as a conditional use under the

Rd-2 zoning, and this development plan is not even close to meeting the requirements of the conditional use regulations. He stated he had a real problem with this development.

Mr. Janka agreed with the density, but he felt it may not be a bad use for the area with a smaller number of units. He felt the access off of Golf Road could be accomplished if it was moved further to the west. He stated he could support 36 units and felt there was a need for higher-end condo product than what has typically been developed in the Pewaukee area.

Mr. Coursin felt they would be down to at least 20 duplexes putting 40 feet in between them. Mr. Neumann confirmed that they have looked at that and he felt it would stretch out the infrastructure just to increase space in between units. He felt developers and cities would not want to pay for that. They were trying to keep the footprint minimal by keeping the mature trees and keeping a buffer between the County highways, and the only way to do that was to cluster the housing further west on the site. Mr. Neumann felt putting 50 units of housing onto a County highway was not going to cause an issue on the highway. He thought it would be impossible to pencil out 36 units.

Mr. Bergman stated he could not support as much density on the site. Mr. Sullivan agreed. He wanted to see it less dense, but not down to 36 units. Ms. Wunder felt it was too dense. Chairman Bierce stated they have turned down other multi-family and he would never vote for duplexes. Mr. Linsmeier did not have a problem with the multifamily duplexes, but he felt it was too dense. Mr. Coursin felt the same. He stated 40 feet in between buildings was a bit excessive so he understood that argument, but it is too dense.

Mr. Weigel stated they would be looking for a public cul-de-sac to be added to the end of Lakefield on this property to allow them to turn around and make some sort of emergency connection. The easiest way would be to require it all to be public street, at least from Lakefield Drive down to Golf Road. There are issues with that and the residents may not want the public street. There will have to be a connection that the City feels comfortable with down the road and not be in a fight about closing off private streets. Mr. Neumann stated he would be opposed to that.

12. Discussion and Action Regarding a Shoreland Mitigation Plan for the Rudy Petrovsky Property Located at N27 W27075 Woodland Drive (PWC 0936010)

Mr. Weigel said Mr. Petrovsky has been working on getting the calculations. The requested action is to conditionally approve the mitigation plan provided that the plan and the Plan Commission minutes are recorded with the County and with the City, and a revised landscaping plan and mitigation plan narrative is provided to the staff.

A motion was made and seconded (S. Sullivan, T. Janka) to approve the shoreland mitigation plan for the Rudy Petrovsky Property Located at N27

W27075 Woodland Drive with the conditions stated.

Motion Passed: 7-For, 0-Against.

13. Discussion and Possible Action Regarding a Proposed City Bus Tour on October 7th

It was decided that the bus tour would take place on October 7th.

14. Adjournment

A motion was made and seconded (C. Wunder, T. Janka) to adjourn the meeting at 9:47 PM.

Motion Passed: 7-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk