

**MINUTES OF THE
CITY OF PEWAUKEE PLAN COMMISSION MEETING
JULY 21, 2016**

Members present were Chairman Scott Klein, Craig Coursin, Ted Janka, David Linsmeier, and Chris Wunder. Also present were Public Works Director Jeff Weigel, Deputy Clerk Ami Hurd, and Community Development Director/City Planner H. E. Clinkenbeard.

Chairman Klein opened the meeting at 7:00 PM noting that there was a quorum present. He then asked everyone to stand for the Pledge of Allegiance.

Chairman Klein asked if there were any changes or corrections to the minutes of the June 16th, 2016 meeting. There being none, a motion was made by Mr. Coursin, seconded by Ms. Wunder to approve the minutes of the June 16th, 2016 meeting as transmitted. The motion passed unanimously.

**DISCUSSION & ACTION REGARDING A PETITION FOR A REZONING
PUBLIC HEARING FOR MHL LAND, LLC TO REZONE THEIR PROPERTY
LOCATED IN THE NW QUADRANT OF THE INTERSECTION OF DUPLAINVILLE
ROAD & LINDSAY ROAD FROM RS-2 SINGLE-FAMILY RESIDENTIAL TO RD-2
TWO-FAMILY RESIDENTIAL (PWC 0866997003)**

There was no one at the meeting to talk about this proposal. Mr. Clinkenbeard pointed out that this was a long standing proposal to put four duplex lots on this land as a buffer between the single-family development to the south and the industrial development to the north of this property.

At that point (7:04 PM) Chairman Klein opened the public hearing and asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the proposal. There being none, Chairman Klein then closed the public hearing at 7:04 PM.

There was a brief discussion. It was pointed out that the property owner had discovered that there were very heavy assessments on the property that he was not going to be able to meet and indicated that he was going to abandon the project.

A motion was made by Mr. Linsmeier, seconded by Ms. Wunder to deny the rezoning request. There was no discussion regarding this item and the motion passed unanimously.

**DISCUSSION & ACTION REGARDING THE LINDSAY PARK PRELIMINARY
PLAT LOCATED IN THE NW QUADRANT OF THE INTERSECTION OF
DUPLAINVILLE ROAD AND LINDSAY ROAD BY MHL LAND, LLC (PWC
0866997003)**

A motion was made by Mr. Coursin, seconded by Mr. Linsmeier to deny the preliminary plat for the four lot duplex zoned property as described above. There was no discussion regarding this item and the motion passed unanimously.

**DISCUSSION & ACTION REGARDING A PETITION FOR A REZONING
PUBLIC HEARING FOR enVENTURE GROUP TO REZONE PROPERTY LOCATED
AT W240 N2687 PEWAUKEE ROAD FROM RM-2 MULTI-FAMILY RESIDENTIAL
TO B-6 MIXED USE COMMERCIAL**

The owner of the property and others came forward to discuss the fact that what was discussed at previous meetings conceptually was that the first building on the roughly 5.5 acre property would be a daycare center that would have a maximum of 150 kids, but on a daily basis would probably average around 110. The owners noted that the proposal included other lands on the site, but they did not have a specific plan for any buildings on those other lands. There was a possibility of one large building or the possibility of two smaller buildings that could be built on the remainder of the site, and those would have to come in at a future time. Their proposal, at this point, was not to subdivide the land, but to leave it all in one piece.

Mr. Coursin asked about the tree line on the south and southwest sides of the property. It was indicated that many of those trees were on the adjacent property, but the ones that were on their property would be kept to retain a buffer along that side.

There was a question about the number of kids. It was pointed out that structurally and physically the building could handle 150 maximum but they would certainly probably have less as he indicated earlier.

There was a questions about the stormwater retention pond that is partially on this site and partially on an adjacent property. The Engineer for the owner described the process that they looked at and it had been determined that there was enough storage capacity in the present pond to handle the stormwater runoff . They indicated that if there was any change, the final engineering on this site will tell us that and they'd have to go back to the drawing board as relates to that pond.

At that point (7:16 PM) Chairman Klein opened the public hearing and asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the proposal.

Ms. Barbara Stevens came forward indicating that she lived next door in the apartments to the south on River Park Drive and was opposed to rezoning the site as planned. She said it was unfair to have a school playground sitting right next to their buildings to the south. They would have noise and kids and there would be dumpster removals in the morning like they have now within their own area with all kinds of noises. In addition she said this would generate too much traffic to the area and there were dangerous intersections involved and the daycare center would not serve the community.

Another resident from River Park Meadows came forward noting that the main entrance from this site from the south was off of their street and that would be dangerous. It was also noted that there would be access to Watertown Road. They noted that there would be no walks on the public street and wondered where the kids would walk.

Mr. Mike Gordon came forward noting the access issues to the property. He noted that even though the site plan showed a drive going through the entire property from River Park Drive all the way to Watertown Road, their residents would probably not use that new route because it was not a public street and there are no sufficient gaps in traffic to get out onto STH

164. He was also concerned about the noise and the kids walking in the neighborhood. It was pointed out by the owner that the kids would not walk any place but on their own site.

Ms. Stevens came back again and indicated that the City placing of the gate on Parkway Meadow Circle made it very dangerous in the area. It was pointed out by Chairman Klein that the gating of the street was not the City's doing. Chairman Klein noted that the Canterbury Crossing gate was put up by them and the City actually went to court to try to keep it from being put in because it would block traffic, but lost the case.

Another resident indicated the dangerous intersection on River Park Drive and STH 164.

Ms. Stevens came back and said that the roads in the area were too narrow and people put their lives in danger every time they go out.

Another gentleman said if he had known about all of this, he would have never bought property in the area.

At that point, Chairman Klein asked if there was anyone else who wished to speak on this matter. There being none, Chairman Klein closed the public hearing at 7:37 PM.

Chairman Klein explained what was going on and there was some discussion about the proposed private street through the property because the neighbors were concerned that the owners would put up a locked gate across that road as was done on Parkway Meadow Circle. The owners stated that they would be willing to grant an easement to the City of Pewaukee in perpetuity for public use of that street.

Ms. Stevens again indicated her concerns and thought that this was a stupid idea.

A gentleman in the audience was concerned about the garbage cans early in the morning and wondered if the City could do something about the garbage collectors coming out at 6:00 in the morning in their area.

Mr. Gordon questioned the capacity of the daycare center. The owners indicated they have a state permit for 135 children in the building.

Ms. Wunder asked if this was for five days only. The owner said yes, it was a five day daycare and it would not be open on either Saturday or Sunday.

Chairman Klein asked about the other uses of the property. There was some discussion on this and it was determined that one way of doing this was to make sure that, because if this is zoned B-6 as requested, all uses would have to be conditional uses. Mr. Clinkenbeard pointed out that in the past in such situations, if the owners came up with a list of uses that they would approve and brought it back to the Plan Commission, then the Plan Commission paired it down and there was an agreement on what they would both approve to place on the site, then those uses would not have to take out a conditional use permit, but that conditional use could be done as a part of this action on this matter. The owner indicated that that was a good idea and they would be willing to do it and come back at the next meeting.

A motion was made by Mr. Coursin, seconded by Mr. Linsmeier to approve the zoning of the daycare center as petitioned. On the discussion on the motion, it was brought up that maybe what we should do before we finalize this, is to see the list of conditional uses that we would agree to. Mr. Coursin indicated that he was willing to remove his motion if the second would agree. Mr. Linsmeier agreed, so the motion was removed.

A motion was then made by Mr. Coursin, seconded by Mr. Linsmeier to table the matter until the August meeting. There was no discussion regarding this item and the motion passed unanimously. The matter was tabled until the August meeting.

DISCUSSION & ACTION REGARDING THE SITE & BUILDING PLANS FOR THE enVENTURE GROUP DAYCARE FACILITY LOCATED AT W240 N2687 PEWAUKEE ROAD (PWC 0924995)

It was suggested that this matter be taken up at the August meeting.

DISCUSSION & ACTION REGARDING A PETITION FOR A CONDITIONAL USE PUBLIC HEARING FOR MATTHEW J. BOGDANSKI TO CONSTRUCT A BOAT HOUSE ON HIS PROPERTY LOCATED AT N38 W27189 PARKSIDE ROAD (PWC 088905)

Mr. Bogdanski came forward. There was some discussion on the matter. It was pointed out on the map that he had brought forward that he was taking down the two sheds that have been on the property for years and he was building a new, small 10 ft. x 16 ft. building that would basically house nothing more than a large row boat with a small motor.

Chairman Klein opened the public hearing at 8:25 PM and asked if there was anyone in the audience that wished to speak either in favor of or in opposition to the proposal.

Mr. John Russel came forward and indicated that he was one of the neighbors and he saw this as an enhancement to that property.

Chairman Klein asked if there was anyone else in the audience who wished to speak either in favor of or in opposition to the proposal. There being none, Chairman Klein closed the public hearing at 8:26 PM.

A motion was made by Mr. Coursin, seconded by Mr. Janka to recommend approval of the conditional use permit as submitted but with understanding that the owner would contact the County and the WisDNR regarding any necessary permits. There was no discussion regarding this item and the motion passed unanimously.

DISCUSSION & ACTION REGARDING THE SITE & BUILDING PLANS & PLAN OF OPERATION FOR THE ZENITH TECH PROPERTY LOCATED AT N6 W23673 BLUEMOUND ROAD (PWC 0967999)

Representatives of Payne and Dolan and Zenith tech came forward noting the history of the site, noting discussions at the previous meetings. Mr. Brett Daniels, the architect, described the proposal for the building plans and plan of operation. They were proposing to demolish the current building west of the current Zenith tech building and they would also be demolishing the

access to the current Zenith Tech building from Bluemound Road. The new access to Bluemound Road would be further to the west where a new building would be built where the current building was being demolished.

In talking about the building plans, it was noted that they would screen the HVAC units so they would not be seen from the highway as you go east on Bluemound Road, which would be the high point to be able to see anything on the roof.

There was discussion about the building description. The kind of lights were noted in the discussion and that they would be down lights and they would be LED's.

After a brief discussion, a motion was made by Mr. Coursin, seconded by Mr. Linsmeier to approve the building and site plan and Plan of Operation with the understanding that the changes that would have to be made to the CSM to show the removal of the access to Bluemound Road and the new access to Bluemound Road and the changes to the site plan so that the existing Zenith Tech could access the new driveway going to Badinger Road from the site was taken care of. There was no discussion regarding this item and the motion passed unanimously.

DISCUSSION & ACTION REGARDING THE REQUEST OF NELSON'S AUTOMOTIVE TO LOCATE THEIR BUSINESS IN AN M-2 INDUSTRIAL ZONING DISTRICT AT W228 N2792 DUPLAINVILLE ROAD & APPROVAL OF THE BUSINESS PLAN OF OPERATION (PWC 0914970005)

The representatives of Nelson's Automotive came forward noting that actually they were looking at three different sites within the City, all within M-2 districts and were concerned about where they went. It was pointed out that if they were going into existing buildings and they went to a different site other than the one that was outlined in the agenda, they would have to bring in a business plan of operation for that particular site.

There was discussion about their business. They pointed out that everything is indoors and it is very clean. They only deal with foreign vehicles and they maintain them for customers, and consequently, the customers don't want their cars sitting outside so that is not a problem as it relates to the storage of automobiles waiting for maintenance. The Plan Commission indicated that they had no problem with this use going at any of the three sites.

A motion was made by Mr. Linsmeier, seconded by Mr. Janka to approve the location of Nelson's Automotive in any one of the three sites that they picked, as long as they brought in a business plan of operation for that particular site. There was no discussion regarding this item and the motion passed unanimously.

DISCUSSION & ACTION REGARDING THE REQUEST BY BRIOHN DESIGN GROUP TO EXTEND THE PENDING ZONING OF THE STOLLENWERK/KANTER PROPERTY UNTIL OCTOBER 3, 2016

There was an explanation of the request. A motion was made by Mr. Coursin, seconded by Ms. Wunder to approve the request for an extension of their pending zoning. There was no discussion regarding this item and the motion passed unanimously.

FURTHER DISCUSSION OF THE LOCATION OF A CELL TOWER ON CITY HALL LAND RATHER THAN THE STRIETER PROPERTY

There was a brief discussion on this matter. It was suggested that this matter be brought up further with the cell tower people because there had been some change in their attitude as relates to locating on the City property.

The Public Works Director indicated that the cell tower people had indicated to him that they did not want to be on the new water tower, which was his recommendation.

At that point, there being no other business for the Plan Commission, a motion was made by Mr. Janka, seconded by Mr. Coursin to adjourn the meeting. The meeting adjourned at 9:40 PM.

Respectfully submitted,

Harlan E. Clinkenbeard,
CDD/City Planner