

In Attendance:

Mayor S. Bierce, Alderman B. Bergman, T. Janka, D. Linsmeier, K. Salituro and C. Wunder.

Also in attendance:

City Planner H. Clinkenbeard, Administrator S. Klein, Department of Public Works Director J. Weigel, Community Services Director K. Woldanski and Deputy Clerk A. Hurd.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 7:00PM and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of Meeting Minutes Dated April 19th, 2018

A motion was made and seconded (C. Wunder, D. Linsmeier) to approve the April 19th, 2018 meeting minutes. Motion Passed: 6-For, 0-Against.

8. Discussion and Action Regarding Applications for Outdoor Activity on Premises Where Alcoholic Beverages are Consumed

8.1 5 O'Clock Club

Mr. Knutson stated there were no changes to his permit.

A motion was made and seconded (T. Janka, C. Wunder) to approve the outdoor activity permit for the 5 O'Clock Club. Motion Passed: 6-For, 0-Against.

8.2 Andrea's Red Rooster

Mr. Clinkenbeard stated there were no changes to this permit.

A motion was made and seconded (C. Wunder, D. Linsmeier) to approve the outdoor activity permit for Andrea's Red Rooster. Motion Passed: 6-For, 0-Against.

8.3 Aqua Beauty Lounge

The owner of Aqua Beauty Lounge stated the patio would be a place for customers to sit while they are waiting for their hair to be done. There will be two speakers on the patio. Business hours are Monday thru Thursday 9am to 9pm, Friday 9am to 5pm, and Saturday 8am to 4pm.

Mr. Bergman noted that the application only shows one speaker and he requested that the speakers be angled at the building instead of out towards the lake. The second speaker will be on the side near the middle door, angled straight down.

A motion was made and seconded (B. Bergman, T. Janka) to approve the outdoor activity permit for Aqua Beauty Lounge. Motion Passed: 6-For, 0-Against.

8.4 Boomers Sports Pub & Grill

Mr. Pasdera stated there were no changes to his permit.

A motion was made and seconded (C. Wunder, B. Bergman) to approve the outdoor activity permit for Boomers. Motion Passed: 6-For, 0-Against.

8.5 Curly's Waterfront

Mr. Clinkenbeard stated there were no changes to this permit.

Mr. Bergman felt the application was incomplete as there was no site plan or drawing, although they were not going to have music outside.

A motion was made and seconded (K. Salituro, D. Linsmeier) to approve the outdoor activity permit for Curly's Waterfront. Motion Passed: 6-For, 0-Against.

8.6 Edgewater

Mr. Kook stated there were no changes to his permit.

Mr. Bergman questioned if there would be six additional speakers as noted on the application, and Mr. Kook noted everything was exactly the same as the last three summers.

Chairman Bierce stated he received a phone call regarding the trees that were never put in as a sound block. Mr. Kook stated he would put some trees up.

A motion was made and seconded (T. Janka, B. Bergman) to approve the outdoor activity permit for Edgewater with the addition of trees. Motion Passed: 6-For, 0-Against.

8.7 Gina's Sports Dock

Ms. Schwister stated there were no changes to the permit.

A motion was made and seconded (T. Janka, B. Bergman) to approve the outdoor activity permit for Gina's Sports Dock. Motion Passed: 6-For, 0-Against.

8.8 Point Burger Bar

Mr. Clinkenbeard stated there were no changes to the permit.

A motion was made and seconded (K. Salituro, C. Wunder) to approve the outdoor activity permit for Point Burger Bar. Motion Passed: 6-For, 0-Against.

8.9 Smokey's Musky Shop

Ms. Laimon stated there were no changes to the permit.

A motion was made and seconded (D. Linsmeier, C. Wunder) to approve the outdoor activity permit for Smokey's Musky Shop. Motion Passed: 5-For, 1-Against (Janka).

8.10 The Station Pub & Grill

Ms. Zinda stated there were no changes to the permit.

A motion was made and seconded (C. Wunder, D. Linsmeier) to approve the outdoor activity permit for The Station Pub & Grill. Motion Passed: 6-For, 0-Against.

8.11 Waukesha Gun Club

Mr. Clinkenbeard stated there were no changes to the permit.

A motion was made and seconded (C. Wunder, D. Linsmeier) to approve the outdoor activity permit for Waukesha Gun Club. Motion Passed: 6-For, 0-Against.

8.12 Wonderland Tap

Mr. Boehnen stated there were no changes to the permit.

A motion was made and seconded (T. Janka, C. Wunder) to approve the outdoor activity permit for the Wonderland Tap. Motion Passed: 6-For, 0-Against.

3. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for B & G Realty LLC/Marcus Consid LLC/Marcus Cinemas of Wisconsin LLC to Rezone Property Located at the Northwest Corner of Springdale Road and Johnson Drive From M-2 Limited Industrial to M-1 General Wholesale Business In Order to be Developed as a Self-Storage Facility (PWC 0961996006)

Mr. Clinkenbeard stated there were concerns about the building and how it laid on the lot, as well as the access on the west side of the building. They also wanted to see the façade look more like an office building rather than a storage building. Changes have been made to the property and the building has been moved somewhat.

The petitioner then described the changed that were made. A fire lane was added along the east side of the building according to the Fire Chief's request. There was also an issue with the setbacks of the access

road, and they will be tearing up that road and moving it 11 feet to the east. The main change with the elevation was that they brought the loading dock from the south façade to the west façade. They also skinnied up the building to fit the access road onto the site. The third story was made shorter and they also added more windows to the east side of the building. They eliminated the storefront spandrel look on the north elevation and did a window breakup to now make it punched openings. Windows were added on the south elevation of the third story.

Mr. Clinkenbeard questioned what would be seen at night. The hallways will be lit for safety and accessibility and you will be able to see a metal-paneled storage locker with doors. Mr. Clinkenbeard mentioned tinting the glass and the petitioner stated they could discuss it depending on what kind of tint it was and what color it would be.

Mr. Klein stated the City has been resistant to storage buildings with colored doors. He questioned what assurance the City had that the doors would not be orange. The petitioner stated the doors would not be orange but they have not yet selected a color. Mr. Clinkenbeard noted again that they wanted it to look like an office building. The petitioner suggested a milder tone such as a blue or gray, but Mr. Klein felt we would still have issues aesthetically with that.

Mr. Klein then referred to the height of building and noted it was over what the ordinance allows. The three stories are needed to make the project financially feasible and they need the density. It is the same price to do two stories as it is to do three stories. The height can be waived by the Plan Commission if the building is sprinkled, which it will be.

The petitioner stated this is the design that they want to move forward with. If the third floor was moved to the south and made as a second story addition, the building would again need to be thinned out because of the collapse zone requirements. The petitioner noted that they have the coverage right now with one story at 16 feet and the Fire Chief was comfortable moving forward with the design.

Mr. Klein felt the building looked awkward from the east elevation. There is a two-story drop and then a long wall. The petitioner suggested there may be room to lower the height of the three story a bit.

The petitioner noted they wanted to have a 100 foot distance from every entrance to get to your unit. They are currently able to meet that the way the building is currently designed with the two loading zones and where the elevator is placed.

Chairman Bierce stated he was not thrilled about the three stories. He felt they would need an agreement on the color of everything.

Chairman Bierce also questioned if there would be neon lighting. It was noted there would be no neon and there will be a box sign on north façade based on the branding.

Discussion then took place regarding the exterior building material and the color.

Mr. Bergman referred to the parking spaces and questioned if the size had been addressed as related to the plan showing six spaces but the legend noting eight. The petitioner noted that would be cleaned up. In a typical day they expect to get about 30 visitors in a ten hour period.

Discussion then took place regarding the lighting within the interior of the storage area. Typically the locker system is white and the owner works with the City to pick a color for the actual doors. The petitioner stated they would not do orange, but suggested a light gray or a blue to give it a contrast. He suggested including something in the conditional use permit that says the doors will never be orange. Mr. Klein's concern was that the building gets built and the petitioner is gone, and something else could be done if the City doesn't catch it.

Chairman Bierce opened the public hearing at 7:39PM.

Dan Livine (N7 W22081 Johnson Drive) stated he was a property owner across the street. He was concerned about the greenspace and the storm water. He wanted to make sure the same requirements were in place for this as there were for his requirements when he put an addition on last year. Mr. Clinkenbeard stated it was being rezoned to a warehouse operation so this is allowed in the M-1 district. All of the greenspace issues have been addressed and there will not be a traffic problem.

Chairman Bierce closed the public hearing at 7:45PM.

A motion was made and seconded (D. Linsmeier, C. Wunder) to rezone the property from M-2 Limited Industrial to M-1 General Wholesale Business contingent upon the other items on the agenda being approved, and to be sunseted so that it fits only this proposal. Motion Passed: 5-For, 1-Against (Bierce).

4. Discussion and Action Regarding a Petition for a Conditional Use Public Hearing for Blue Ribbon Management LLC to Allow for Property Located at the Northwest Corner of Springdale Road and Johnson Drive to be Developed as a Self-Storage Facility (PWC 0961996006)

Mr. Bergman stated he was more comfortable with the materials for the building since the last meeting. He felt it comes down to three-story versus a two-story larger building and how it looks, especially on the north elevation. He felt approval would have to be conditioned as far as the color goes. Mr. Klein stated they could condition it to have the petitioner bring in some options and the Plan Commission approve the interior color. If someone would want to change that color at some point they would need to come back and do the same. The glass color can be included in that as well if they can show that it has an impact on the inside of the building.

Chairman Bierce mentioned that the size of the building falls outside of the normal parameters for height. Mr. Clinkenbeard stated if it is over 35 feet, it must be sprinkled in order to have the height waived. The petitioner noted that the Fire Chief has signed off on this.

The rooftop units will be screened with a pre-fabricated, metal roof screen colored to the building. The petitioner noted that they may not need the screening because it may be set back far enough. Mr. Clinkenbeard stated it must be screened somehow so that it looks like it is part of the building.

Mr. Weigel referred to the height of the building and cautioned that if the building or cranes exceed 1,048 feet they may need a County airport construction permit.

Ms. Salituro questioned how someone would access the building and the petitioner noted that they have a loading dock on the west side of building and they have skinned up the building. There is no drive thru facility.

Typical on-site staff is 9:00AM to 6:00PM. Some facilities may open before work around 7:00Am and would have a key code to access the building. Sometimes they may go later in the evening, such as 8:00PM or 9:00PM. The site would then be monitored remotely.

Chairman Bierce opened the public hearing at 7:59PM. No one in the audience wished to speak so Chairman Bierce then closed the public hearing at 7:59PM.

Ms. Salituro stated she likes the materials but she was concerned about the height of the building with the proximity to the highway. She felt the massing was a bit weird with one-story and three-story.

Glass, internal color, screening of HVAC, all as conditions.

A motion was made and seconded (S. Bierce, K. Salituro) to approve the conditional use conditioned on the petitioner coming for approval on the glass, the inside color, the screening, any time there is a color change inside or outside of the building it must be approved by the City, no outside storage, correction of the parking spaces, approval by City staff of the storm water and engineering, approval by the Fire Department and the Fire Chief must sign off that it is going to be fully sprinkled otherwise they cannot go over 35 feet, and including Wrayburn Consulting's planning review comments, and any change in color must go thru the entire process of City staff, Plan Commission and Common Council. Motion Passed: 6-For, 0-Against.

5. Discussion and Action Regarding the Site and Building Plans and Plan of Operation for the Blue Ribbon Self Storage Building Located at the Northwest Corner of Springdale Road and Johnson Drive (PWC 0961996006)

The hours listed on the Plan of Operation were 6:00AM to 10:00PM, and the petitioner stated that was ideally the time that someone could come to the facility and access their unit. The key pad would not work during non-business hours. Staff hours are typically 9:00Am to 6:00Pm six days a week. Sundays are not staffed but accessible, so it would be seven days a week.

A motion was made and seconded (B. Bergman, K. Salituro) to approve the site and building plans and Plan of Operation. Motion Passed: 6-For, 0-Against.

6. Discussion and Action Regarding a Petition for a Conditional Use Public Hearing for 814 Development LLC to Construct a New Rainbow Child Care Center Located at N35 W23770 Capitol Drive (PWC 0906999008)

Mr. Clinkenbeard stated this property was accessed from Highfield Court, not Capitol Drive.

Very few changes were made and the building itself has stayed the same since the last meeting, as have the elevations. The comments were regarding the chain link fence and that has been changed to a white vinyl fence. The fence in the back will be black coated chain link but the fence seen from Highfield Court will be white.

The playgrounds have been shrunk down to get rid of some of the retaining walls.

Mr. Clinkenbeard noted the neighbor to the east has a turnaround on this property, but the petitioner stated they were showing to remove it. It was suggested that they contact the neighbor.

The petitioner then showed on the map where the white vinyl fence would be as compared to the chain link fence.

Mr. Klein questioned if the petitioner checked with the State regarding their setback on Capitol Drive. The concern is it may change things if they have to meet a 50 foot setback for more than just the building. The City's setback is 30 feet from the property to the parking but only 20 feet is shown on the plan.

The petitioner noted that they will sprinkle building, which would eliminate any of the Fire Chief's concerns.

Chairman Bierce then read a letter into the record from a City resident (see file).

Chairman Bierce then questioned if there was a rule as to how many children there can be per square foot. Mr. Linsmeier noted it was 35 square feet of usable space for each child. They will have to meet state licensing requirements.

Mr. Bergman still had a concern about the chain link fence and preferred to see a vinyl fence. The petitioner stated they could do the vinyl all around if that's what the Plan Commission preferred to see.

Chairman Bierce opening the public hearing at 8:24PM.

Tim Keeley (N34 W23879 Grace Avenue) reiterated the traffic concerns because he felt it was next to impossible to access Capitol Drive during rush hour in the morning and late afternoon, which is when parents will be dropping off and picking up children. He suggested traffic control at that intersection, but it was noted that that would be up to the State and County in this case. Mr. Klein noted the City could ask the State and County to take a look at it but it was very unlikely that another light would be put in.

Chairman Bierce then closed the public hearing at 8:30PM.

A motion was made and seconded (D. Linsmeier, T. Janka) to approve the conditional use with the conditions that the chain link fence is changed to all vinyl, sprinkling the building, contingent on no DOT and City setback problems, and 180 square feet overall parking stalls. Motion Passed: 6-For, 0-Against.

7. Discussion and Action Regarding the Site and Building Plans and Plan of Operation for the Rainbow Child Care Center Located at N35 W23770 Capitol Drive (PWC 0906999008)

Mr. Weigel noted the storm water would be under the parking lot.

A motion was made and seconded (T. Janka, D. Linsmeier) to approve the site and building plans and Plan of Operation. Motion Passed: 6-For, 0-Against.

9. Further Consideration of the Petition for a Conditional Use for Skydance Pet Lodge to Build and Operate a Pet Daycare Facility Located at W229 N2633 Duplainville Road (PWC 0915992)

The petitioners noted the new building design is a weathered gray stained cedar. There are two different options; the tan is a semi-transparent stain and the other is a more weathered gray. It is two different applications of the semi-transparent stains. Mr. Clinkenbeard thought it was going to look like a lodge in northern Wisconsin.

One area of concern on the site plan was the dumpster enclosure in the north corner, and it has been moved to the southwest corner of parking lot. A six foot cedar privacy fence was added to the north property line, and three windows were added above the garage door to help break up the building. The petitioner was interested in the weathered gray look, but was not opposed to the natural stained cedar.

A privacy fence was added along the length of the residential boundary. There are currently some trees along that area.

Mr. Weigel noted he had the normal storm water management and sewer and water requirements.

Mr. Bergman referred to the masonry on the east elevation and questioned if there was consideration on carrying that to the other four elevations. The petitioner stated the masonry was strictly to the columns and it was a way to dress up the canopy over the entry way.

Discussion took place on the building and the petitioner noted they originally proposed an LP smart side, which is a more durable product than a stained or natural cedar. They are now proposing the stained cedar because of the comments at the last meeting. Mr. Klein pointed out that the comments were based on photos of different weathered and non-weathered looks and colors and that's when cedar was brought up. The petitioner felt going with a natural LP smart side is the most effective way of keeping something low maintenance and more durable than a natural cedar. Mr. Klein felt it would then not read as wood.

Mr. Clinkenbeard asked if there was a chance to do something on the lower three to four feet. The petitioner felt adding stone would get quite costly. Mr. Clinkenbeard was thinking about a faux stone. He was concerned about an annual maintenance need for the lower three feet of the building.

The only difference between the brown and the gray was that the brown would be transparent stain and the gray would be a gray tint spray that would give a more weathered look. They were acceptable to whichever color the Plan Commission prefers.

Additional discussion took place regarding the color of the building.

Ms. Salituro felt the gray color was reading a little better because the trim is a different color. The windows seem a lot smaller on the one with the warmer color because the trim is the same color. She felt either color would work as long as the windows have contrast.

It was questioned how many dogs there would be per day. They would start out with 30 to 50 and would probably have 80 to 85 after a year.

A gentleman in the audience stated the traffic on Duplainville Road is backed up between 6:30AM and 8:00AM. He questioned if the State could reconfigure the traffic lights in that area. Mr. Clinkenbeard stated the City can ask the State to take a look at it to do a count.

Mr. Klein suggested doing the same with this conditional use and putting a condition on the exterior color. If they want to change it, they have to come in and get approval.

Mr. Bergman felt it was a massive siding and was not a lodge look. He felt it was the same as it was before with a lot of long, expansive siding.

A motion was made and seconded (D. Linsmeier, C. Wunder) to approve the conditional use with either color with an accenting trim using the natural cedar. Motion Passed: 5-For, 1-Against (Bergman).

10. Discussion and Action Regarding the Site and Building Plans and Plan of Operation for the Skydance Pet Lodge Located at W229 N2633 Duplainville Road (PWC 0915992)

A motion was made and seconded (T. Janka, C. Wunder) to approve the site and building plans and Plan of Operation. Motion Passed: 5-For, 1-Against (Bergman).

11. Discussion and Possible Action Regarding the Conceptual Plan for the Pewaukee Golf Course Redevelopment Known as Lake Country Commons by Diamond Club Entertainment Located at N12 W26506 Golf Road (PWC 0944994)

Sonny Bando introduced himself and his team and described the project.

Mr. Bando stated of the 144 acres, only 28 acres are buildable, which is less than 20 percent. The south end of the site is the Lake Country Recreation Trail and they would like to explore the connection from their site to the trail. There would be a farmers market or a public market. There would also be a year-round baseball stadium with 2,500 seats. The stadium would also be designed for lacrosse, soccer, football and hockey. The northern section of the site would remain a nine-hole golf course. There would also be a residential component to the concept consisting of senior housing.

Mr. Janka questioned if it would be built in stages. The stadium structure is minimal with the infrastructure being first, the stadium second and the two housing components would be built third. They have not decided on style or sizing of the housing units yet, but one structure would be built first, leased out, and then the second structure would be built.

Chairman Bierce stated his biggest concern was the senior housing. He felt it was a fairly remote area to put senior housing, as there is not a lot of access to stores. He also mentioned that the City is ahead of its multi-family percentage with 28 percent when we were trying to stay around 25 percent. There is enough room for about 400 units, but the City cannot use all of their future multi-family here and then fight off every other proposal for the next few years. Chairman Bierce liked the idea of the baseball stadium and the park-like setting.

Mr. Bando clarified that the housing would be age 55 plus. He stated they would come down in density.

Mr. Bergman noted there would be a lot of construction and use in the floodplain. He questioned what the chance was that they would get anything on the other nine holes. The only thing outside of that area is the senior housing. Mr. Bergman also questioned if the petitioner had ever developed a project like this before. He also had an issue with the access and felt the road would have to be widened.

Mr. Jim Kelenic, a member of the development team, stated the roadway would have to be built to City standards. The floodplain has not been determined with elevations yet, but there is talk that the exact locations could be identified.

Mr. Klein added that the play fields and parking lots can be in floodplain, but the elevations cannot be changed. In regards to the access, the City would require a secondary, emergency access out of the development.

A gentleman named Rod from Meadowbrook Road felt this was a great idea but a bad spot. He moved here to get away from this type of thing and he can drive within minutes to find another field. He stated the traffic is a disaster in that area and he did not believe the lake country area needed this.

A woman named Diane from Spice Creek stated this was lake country for a reason. She mentioned a baseball facility already being built in Waukesha. She was concerned about the lights and speakers and the cheering of the people.

A gentleman named Mark stated his view of the nature will be interrupted by this. He felt the developer's should find a better location as this was the wrong spot.

A woman named Barbara from Golf View Lane questioned if they would be asking for a TIF district. Mr. Bando stated they will ask for a TIF district. They do not have a final number yet but they will be asking for an infrastructure TIF that they forecast to pay back in five to six years.

A woman named Christine Howard felt it was a great idea but it would have been nice to have a conversation with the residents first.

Mr. Bando noted that one of their partners, Mary Claire Lanser, will be holding an open house on June 21st in Meadowbrook Village. Notices will be delivered to all residents within a half mile radius.

A gentleman named John Zigler from Princeton Place stated the entire Meadowbrook area should be included in the meetings, as they back up to the golf course.

A gentleman named Bob Lorier stated there are drainage issues in the area. He also mentioned that he is familiar with TIF districts and was willing to work with anyone if they want information.

A gentleman named Tom from Spice Creek questioned if there was a limit on the number of rental units in a certain area. There is a large complex of renters on the north end of East Fieldhack Drive, and he was more favorable to homeowners than renters because homeowners take better care of their property. Mr. Klein stated it is more City-wide and we try to keep it at 25 percent of the overall housing.

A woman named Gina from Meadowbrook Circle stated the wells are not that great and she questioned if the City would have to dig a new well to supply all of these people with safe drinking water. Mr. Weigel did not believe this would cause the City to get a new well all by itself but it will contribute.

A gentleman in the audience questioned if the baseball would be a nightly thing and he questioned the water usage. Mr. Kelenic stated this would be an artificial turf field so they would not use any water to maintain the field. He did not know right now how many games there would be.

Discussion then took place regarding the lighting of the fields and the type of lights used.

A woman named Debbie from Spice Creek questioned if the fields would be practice fields also or just fields for games. Mr. Kelenic did not know what the public and private time usage would be. A woman named Julie from Spice Creek stated she did not want to hear baseball in her backyard or from her patio.

A woman named Margie from Spice Creek felt the idea sounded exciting, but not in her backyard. She noted the area is often under water. She added that there is already a large amount of multi-housing in that area and the traffic cannot handle it. She suggested doing a feasibility study.

Mr. Clinkenbeard stated this would more than double the multi-family in the Meadowbrook area. He felt it would be at least a year or more before we find out if we can get sewer to the area. The City would probably have to go to the other five communities that own the sewage treatment plant to try to buy some capacity from them. He also pointed out that the City would not normally allow a public street even half the length of that with that kind of traffic and that number of people on it from a safety standpoint.

Mr. Janka felt the multi-family was the real deal breaker. He was also concerned about the traffic.

Mr. Linsmeier was concerned about the noise from the large stadium.

Mr. Kelenic stated they would be willing to do a developer's agreement up front as to what can be allowed and what can't. He felt they would definitely have to have a traffic study done and there will have to be improvements made to that road because of the development.

Chairman Bierce suggested the developers come back with another proposal.

Mr. Clinkenbeard felt the two biggest issues were the multi-family and the City financing the project with a TIF district.

12. Discussion and Action Regarding the Mitigation Plan for Tim Youngbauer for Property Located at N28 W27580 Peninsula Drive (PWC 0933064)

Mr. Clinkenbeard stated Assistant City Engineer Maggie Wagner recommended approving the proposal conditioned upon her recommendations.

A motion was made and seconded (T. Janka, D. Linsmeier) to approve the mitigation plan conditioned upon the Assistant City Engineer's recommendations. Motion Passed: 6-For, 0-Against.

13. Adjournment

A motion was made and seconded (D. Linsmeier, C. Wunder) to adjourn the meeting at 10:40PM. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk