



Planning Department

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax (262) 691-1798

PLAN COMMISSION MEETING NOTICE AND AGENDA Thursday, May 16, 2024 6:00 PM

Pewaukee City Hall Common Council Chambers
W240 N3065 Pewaukee Road, Pewaukee, WI 53072

-
1. Call to Order and Pledge of Allegiance
 2. Discussion and Action Regarding Approval of the January 18, 2024, February 15, 2024, March 21, 2024, and April 18, 2024 Meeting Minutes
 3. Discussion Regarding a Conceptual Review for StorageShopUSA for Property Located at N406 W229 Wolf Road for the Purpose of Developing a Multi-Use Rental Space (PWC 0963993)
 4. Adjournment

Ami Hurd
Deputy Clerk

5/9/2024

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the City Planner, Nick Fuchs, at (262) 691-6007 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 2.**

DATE: May 16, 2024

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Action Regarding Approval of the January 18, 2024, February 15, 2024, March 21, 2024, and April 18, 2024 Meeting Minutes

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

1.18.24 Meeting Minutes

2.15.24 Meeting Minutes

3.21.24 Meeting Minutes

4.18.24 Meeting Minutes

In attendance:

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

Also in attendance:

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

1. Call to Order and Pledge of Allegiance

In the absence of Chairman Bierce, Commissioner Brown called the meeting to order at 6:02pm.

2. Discussion and Action Regarding Approval of the November 16, 2023 Meeting Minutes

A motion was made and seconded (D. Kiser, A. Schoenemann) to approve the November 16th, 2023 Plan Commission meeting minutes. Motion Passed: 5-For, 0-Against.

3. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for AP Tattoo for Property Located at N20 W22951 Watertown Road Suite 113 for the Purpose of Operating a Professional Tattoo Parlor (PWC 0958982004)

Mr. Fuchs stated this was a Conditional Use Permit for a tattoo parlor business. The applicants are looking to occupy an existing 1,089 square foot tenant space. Hours of operation are anticipated to be Monday through Saturday from 11am to 7pm. There are no proposed exterior site or building modifications. Mr. Fuchs stated staff was recommending approval with the conditions that the applicant obtain all other governmental approvals and State permits and licenses, the hours of operation do not exceed 10pm, and the Conditional Use Permit will be subject for review for ongoing compliance with conditions 1 and 2.

A motion was made and seconded (D. Kiser, D. Linsmeier) to recommend approval of the Conditional Use Permit for AP Tattoo with the conditions listed in the staff report. Motion Passed: 5-For, 0-Against.

Commissioner Kiser questioned the periodic review. Mr. Fuchs stated if something becomes a problem, City staff can at any time confirm licensing or talk to the applicants.

Commissioner Brown referred to the business plan and noted that a Peddlers Permit would be needed if they plan to go door to door to promote their business.

4. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit for M&M 2020/Muhammed Musaitif for Property Located at N20 W22951 Watertown Road Suite 105 for the Purpose of Operating a Multi-Cultural Convenience Store with Tobacco Products (PWC 0958982004)

Mr. Fuchs stated this was a Conditional Use Permit located in a 2,113 square foot tenant space. Hours of operation would be Monday through Sunday from 9am to 10pm. No site or building changes are being proposed. Mr. Fuchs stated staff was recommending approval with the conditions that they must obtain any other governmental approvals or licenses needed, hours of operation do not exceed 10pm, and review as needed.

The applicant, Muhanned Musaitif, stated they plan to sell middle eastern food, multi-cultural items, bagged tobacco, cigars, and vapes. He stated they are still deciding on CBD products, but their main focus is high-end cigars.

A motion was made and seconded (D. Linsmeier, S. Sullivan) to recommend approval of the Conditional Use Permit for M&M2020/Muhanned Musaitif with the conditions listed in the staff report. Motion Passed: 5-For, 0-Against.

5. Discussion and Action Regarding the Site and Building Plans for Zeman Tool for Property Located at W228 N575 Westmound Drive for the Purpose of Constructing a 624 Square Foot Addition to the Existing Dock Area (PWC 0963999002)

Mr. Fuchs stated this was a 624 square foot addition for storage and is adjacent to the existing dock with a 12.5-foot overhang extending to the north from the addition. The materials will match the existing building. Mr. Fuchs recommended approval with the standard condition for final Engineering review and approval.

A motion was made and seconded (D. Kiser, A. Schoenemann) to approve the Site and Building Plans for Zeman Tool. Motion Passed: 5-For, 0-Against.

6. Discussion and Action Regarding the Site and Building Plans for Lakewood Baptist Church for Property Located at W274 N1490 Riverland Drive for the Purpose of Constructing a 676 Square Foot Detached Accessory Building (PWC 0940997002)

Mr. Fuchs stated the proposal was for a detached garage for equipment and maintenance items and possibly vehicle storage. The design matches the principal building's siding, windows, and roof pitch, and has a peak height of 19 feet. Mr. Fuchs recommended approval with the condition that the applicant submit a landscape plan to include evergreen trees on the berm to the north of the garage to screen it from the neighbors, as well as a condition for Engineering approval.

Discussion took place regarding the location of the garage. It was noted that this would be the last thing the church can build because of the greenspace requirements. It was also pointed out that there is to be no outside storage surrounding the garage.

A motion was made and seconded (A. Schoenemann, D. Linsmeier) to approve the Site and Building Plans for Lakewood Baptist Church with the submission of a landscape plan, and no outdoor storage. Motion Passed: 5-For, 0-Against.

7. Adjournment

A motion was made and seconded (D. Kiser, D. Linsmeier) to adjourn the meeting at 6:24pm. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk

In attendance:

Mayor Steve Bierce, Alderwoman Collen Brown, Doug Kiser, Sean Sullivan, Amy Schoenemann.

Also in attendance:

City Planner & Community Development Director N. Fuchs, Administrator S. Klein, and Deputy Clerk 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 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 Starla Enterprises, LLC for Land Located at the Northwest Corner of Johnson Drive and Springdale Road from Manufacturing/Fabrication/Warehousing to Office Commercial (PWC 0961996006)

Mr. Fuchs stated the proposal was for a two-story 24,431 square foot office building. The site will have approximately 68 percent greenspace. There is a plan for a future building to run parallel on Johnson Drive, and with that building, the site would be at approximately 45 percent greenspace. Mr. Fuchs noted that access would be from an existing drive on the property. He pointed out that there were lights running down the west side of the existing drive on the adjacent property, so there is a condition of approval that the lighting needs to be approved by the property owner. Signage is shown on the north and south elevations of the building and would require separate review and approval. There is also a condition for final grading, erosion control and storm water management plans to be approved by Engineering. Mr. Fuchs recommended approval of all three applications.

Chairman Bierce opened the public hearing at 6:03pm. After hearing no requests to speak, Chairman Bierce closed the public hearing at 6:03pm.

Commissioner Brown referred to the shared drive and questioned if the entire section in the back could be redone as part of this project. She also referred to the lighting on someone else's property and questioned what would happen if the property owner did not agree to having lights on their property. Commissioner Brown also questioned where signage would go when they have another tenant.

A representative with RA Smith discussed the lighting plan with the adjacent user and stated the light poles are located on the subject property. Mr. Fuchs noted that the lighting plan does not exactly match that.

Discussion took place regarding the sign placement. It was noted that there is a space for a monument sign, but they have not finalized those details yet. Mr. Fuchs pointed out that any signage would require separate review and approval from staff.

Commissioner Brown was concerned about the windows and questioned if people would be able to see inside. It was noted that the windows will be tinted and there will be window treatments.

A motion was made and seconded (D. Kiser, S. Sullivan) to recommend approval of the Comprehensive Master Plan Amendment, Rezoning, and Site and Building Plans, concurring with the staff conditions. Motion Passed: 5-For, 0-Against.

3. Discussion and Action and Public Hearing for Starla Enterprises, LLC to Rezone Land Located at the Northwest Corner of Johnson Drive and Springdale Road from M-1 General Wholesale Business/Warehouse District to B-4 Office for the Purpose of Constructing a Two-Story Office Building (PWC 0961996006)

Action taken in Item #2.

4. Discussion and Action Regarding the Site and Building Plans for Starla Enterprises, LLC for Land Located at the Northwest Corner of Johnson Drive and Springdale Road for the Purpose of Constructing a Two-Story Office Building (PWC 0961996006)

Action taken in Item #2.

5. Discussion and Action Regarding a Conceptual Review for Sagewind Development for a Proposed Car Wash, Market, and Gas Station for Property Located at W240 N2687 Pewaukee Road (PWC 0924995)

Mr. Fuchs stated the plans include three separate buildings made up of a car wash, a market and gas station, and a drive-through restaurant. He noted that the property does have access to the south on River Park Drive and an access to Watertown Road. There are some improvements planned to allow left turns, but that would require Waukesha County approval.

The applicant stated the anchor tenant would be the Fireside Market, which would be a fresh food market with made to order food. They would also offer eat-in dining, as well as gas and electric vehicle charging stations. There would be about 20 employees on the site. The applicant noted that they would need Conditional Use Permits for all of the businesses, and they were looking to offer beer and wine as well.

The applicant further described the Fireside Market as made to order food and described how the drive-through process would work.

Mayor Bierce stated he loved the look of the building, but stated the City does not want a car wash or gas station on this property. He felt the idea of the market was great but noted that this was right next to a huge residential community. Mayor Bierce felt adding traffic to this already-busy intersection would have to be addressed.

The applicant mentioned that they have already been in talks to work with traffic engineers to study the intersection.

Commissioner Sullivan felt the market was a great idea but felt this was a very challenging site. The issue is with traffic, as cars cannot go north, and cannot do a U-turn unless the County approves it. Commissioner Sullivan felt traffic would have to go out onto River Park Drive but did not believe the residents would be happy with access onto that road.

Discussion took place regarding possible uses besides a car wash.

Commissioner Brown felt this conceptual plan was too much for the property. She was concerned about the impact of the traffic on the neighborhood. She also felt there was not enough parking for what was proposed. Commissioner Brown did not like the car wash aspect of the proposal and was not sure about the proposed fast-food restaurant, as it would bring in a lot of people.

Commissioner Kiser felt the applicant had a higher chance of approval if the River Park Drive access was not included. He felt the market would work on this site, without the car wash.

Commissioner Schoenemann felt there were too many uses crammed onto the site. She stated she was not opposed to a gas station with a newer concept such as this and felt it fit a different purpose in this market.

No action was taken.

6. Discussion and Action Regarding the Site and Building Plans for Zeilhofer Properties, LLC for Property Located at N4 W22540 Bluemound Road for the Purpose of Raising the Storage Building Height by Four Feet (PWC 0963997)

Mr. Fuchs stated this was a 7,600 square foot storage building currently under construction. The applicant is requesting to add an additional four feet to the building height, and the only other change would be that two of the garage doors would then be two feet taller as well. Mr. Fuchs added that all previous conditions put on the project would remain. It was noted that the building would still be within the zoning height restriction.

A motion was made and seconded (C. Brown, D. Kiser) to approve the Site and Building Plans for Zeilhofer Properties, LLC. Motion Passed: 5-For, 0-Against.

7. Adjournment

A motion was made and seconded (D. Kiser, C. Brown) to adjourn the meeting at 6:52pm. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk

In attendance:

Alderwoman C. Brown, D. Kiser, D. Linsmeier, and C. Wunder.

Also in attendance:

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

1. Call to Order and Pledge of Allegiance

In the absence of Chairman Bierce, Commissioner Brown called the meeting to order at 6:00pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of the December 21st, 2023 Meeting Minutes

A motion was made and seconded (D. Kiser, C. Brown) to approve the December 21st, 2023 meeting minutes. Motion Passed: 3-For, 0-Against, 1-Abstain (Linsmeier).

3. Discussion and Action Regarding a Certified Survey Map for Ruekert & Mielke for Property Located at W233 N2080 Ridgeview Parkway for the Purpose of Subdividing the Property Into Two Separate Lots (PWC 0953984002)

Mr. Fuchs stated the applicant would like to cut out a two-acre lot in the northwest corner of the property for a new office building. The new lot would be two acres, and the remaining Lot 1 on the CSM would be about five acres. Mr. Fuchs noted staff was recommending approval with the conditions that there is a setback correction from one of the property lines on Lot 2, making sure the building on Lot 2 will meet the 40 percent green space requirement, and shared access and an agreement are to be recorded with the Register of Deeds. Mr. Fuchs also noted that once Lot 2 is created, there would just be a parking lot on that property and it would not conform to the 40 percent greenspace requirement or paving setbacks, so there is a condition that the applicant can remove the lot right away before recording the CSM or record the CSM and have one year to remove the parking lot.

Stan Sugden with Ruekert and Mielke stated the parking lot is 24 years old and needs to be reconstructed. He stated they do not want to reconstruct just part of the lot and leave some of it looking old. Mr. Sugden stated they would reconstruct and resurface the remaining parking lot on Lot 1, and then market the space in their current building and design the new building at the same time.

Discussion took place regarding the access easement.

A motion was made and seconded (D. Kiser, C. Wunder) to recommend approval of the Certified Survey Map for Ruekert and Mielke and concur with the staff conditions. Motion Passed: 4-For, 0-Against.

4. Discussion and Action Regarding the Site and Building Plans for Lakeland Supply for Property Located at N17 W25081 Bluemound Road for the Purpose of Constructing an Approximately

60,000 Square Foot Building Addition (PWC 0948985001)

Mr. Fuchs stated this was a 60,000 square foot building addition that was part of the original plan and design when the building was first constructed. He noted that there were no changes to the parking. Building lighting is being added and will be mounted at 20 feet or less on the building. Landscaping will be added along the front, and it will wrap around some trees on the north side in an attempt to fill in an existing tree line where there is a residential property. It was noted that they will be using the same building materials as the existing building. Mr. Fuchs recommended approval with the conditions for final Engineering review and approval, Fire Chief approval for the building exceeding 30 feet in height, and a new wetland delineation in order to make sure the wetland boundary stays met.

Chris Wenzler with Briohn Design Group referred to the existing north wall and stated it would be located even further north. There are currently no windows on the wall and no windows are being proposed, as they do not want any light spillage from the windows to the residential properties.

Commissioner Kiser referred to the current monument sign out front and noted the lighting from that sign significantly spills over to the property owners across the street. He questioned if the City had an ordinance regarding not illuminating the sign after 9pm if there are residential properties in the vicinity. It was noted that the cutoff is within 660 feet of a residential zoning district, and the hours of illumination are not allowed from 11pm to 6am.

Commissioner Kiser then questioned if the original traffic study accommodated the additional six docks for this proposal. It was pointed out that the expansion was always planned, but City staff would look into it. Commissioner Kiser felt they would need a new traffic study that accompanies this because the County's traffic count would not accommodate the additional truck traffic.

A motion was made and seconded (D. Kiser, D. Linsmeier) to approve the Site and Building Plans with the conditions discussed, including completing a new traffic study if the original study did not incorporate this expansion, and looking into the monument sign lighting. Motion Passed: 4-For, 0-Against.

5. Discussion and Action Regarding the Site and Building Plans for Scot Industries for Property Located at N13 W24600 Scot Drive for the Purpose of Constructing a Building Addition and a New Parking Lot (PWC 0951999)

Mr. Fuchs stated this was a 19,075 square foot addition to be added to the south of the existing building where there is an existing parking lot. The applicant will then replace the parking lot on the north side of the building. The building materials on the addition will be the same as the building materials on the existing building, which does include metal siding. Mr. Fuchs recommended approval with the conditions that a wetland delineation be completed within 100 feet of the land disturbance area, the parking spaces meet the City's 180 square foot minimum, additional evergreen trees are planted to screen the new overhead doors on the front of the building, and final Engineering review and approval.

Commissioner Kiser stated traffic would be coming from Waukesha and he felt this would probably need a traffic study. The applicant noted that they were not a production facility and they do not have truck traffic. The addition is to allow more space for the machines they build, as they are crowded in their bays and want to extend the operation so that they have two assembly areas.

A motion was made and seconded (D. Linsmeier, D. Kiser) to approve the Site and Building Plans with the conditions and suggestions on landscaping, wetland delineation, parking space size, screening, and final Engineering approval. Motion Passed: 4-For, 0-Against.

6. Discussion And Possible Action Regarding a Conceptual Review for Shorepoint Church for Property Located at the Southwest Corner of Capitol Drive and Duplainville Road for the Purpose of Constructing and Operating a New Church (PWC 0912983, PWC 0912984, and PWC 0912985)

Mr. Fuchs stated there are three properties included in the request. The applicant is proposing a 27,745 square foot facility with a 600-capacity worship space, as well as office space, a multi-purpose room, a stage, and some classrooms. The parking lot would have 300 spaces, and access would be from Capitol Drive and would connect to Duplainville Road as well. Mr. Fuchs pointed out a concern with traffic, as cars would not be able to go west onto Capitol Drive, so they would have to make U-turn. He also noted that there are a lot of churches in this area, and he was unsure how that would work with traffic, having essentially the same peak times.

State Representative Adam Neylon addressed the Commission and stated he has attended Shorepoint Church for five years. He stated he supports the church and was confident that they would be a good partner for the City of Pewaukee.

Commissioner Brown stated she likes the current zoning in the area now and she felt it was very well planned for how busy Capitol Drive is, and the existing churches and businesses around the property. She stated she was happy with the 2050 Land Use Plan in that area.

Brian Engl with Shorepoint Church stated their church has been trying to get on Capitol Drive for many years, and he stated he would do anything to figure out the traffic issue.

Commissioner Kiser felt the 2050 Land Use Plan was in place, and he felt there would be traffic issues with this location.

Commissioner Linsmeier stated he did not have a problem with this use in that location, but he did have an issue with the ingress and egress. He felt there would be traffic issues with an exit only going to the east.

Commissioner Wunder stated she was concerned about the traffic and all of the other churches in the area.

The applicants noted that they would be more than happy to proceed with a traffic study and could remove the access to Duplainville Road.

No action was taken.

7. Adjournment

A motion was made and seconded (D. Linsmeier, D. Kiser) to adjourn the meeting at 6:45pm. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk

In attendance:

Chairman S. Bierce, Alderwoman C. Brown, D. Linsmeier, and A. Shoenemann.

Also in attendance:

City Planner & Community Development Director N. Fuchs, Administrator S. Klein, Department of Public Works Director M. Wagner, and Deputy Clerk 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 Possible Action Regarding a Conceptual Review for 2000 Development Corp. for a Proposed Industrial Development for Vacant Property Located at the Northeast Corner of Redford Boulevard and Lindsay Road (PWC 0869999001)

The applicant, Brandon Bergman, President of 2000 Development, stated he is proposing a 225,000 square foot industrial building. The development includes two properties, one of which is the City's two-acre parcel located in the northeast section of Redford Boulevard and Lindsay Road, and the other is the 19-acre adjacent property that wraps around the two-acre parcel. The development is located in the northernmost part of the City and abuts the Town of Lisbon.

Mr. Bergman gave a brief history of the property and the past projects proposed for the land. He discussed the floodplain storage area that would accommodate the floodplains on the site and explained the process FEMA required them to go through.

Mr. Bergman stated this would be a single-story building that would face Lindsay Road and was approximately 35 feet in height. He noted that the building was moved to the north end of the property to accommodate the future floodplain storage area and the storm water management. There are multiple glass entrances planned along the south elevation to accommodate the potential for multiple tenants, with windows located on all sides. There are approximately 89 parking spaces on the south side of the building.

Discussion took place regarding the floodplain and wetland areas on the property. Ms. Wagner noted that Engineering staff has reviewed the FEMA report, and they did not have any issues with it, although the County does still have some concerns about the design.

Commissioner Brown referred to the bike path that was planned along Lindsay Road to connect with Duplainville Road and questioned if this project would inhibit that possible bike path. Ms. Wagner stated they could work through that in the future if the bike path moves forward.

Commissioner Schoenemann questioned the possibility of traffic signals in the area. Ms. Wagner noted the County did not support signals, as they felt the intersection did not warrant it. Mr. Bergman mentioned that brokers will not rent space to tenants in this building without a signal at the intersection.

Discussion took place regarding the City's two-acre parcel as relates to the rezoning. Mr. Fuchs stated there were options for the developer to either acquire the property, or the City could retain ownership and allow the applicant to utilize the portion of the parcel that is currently outside of the floodplain. Ms. Wagner added that the floodplain area would not be part of the storm water management and would basically be just a storage basin for the floodplain. She suggested the City keep the property, in the event construction would be needed on Lindsay Road.

Mr. Bergman then briefly discussed the possibility of a TIF district.

Mr. Fuchs referred to the site and building plans and stated he felt there was room for improvement. He stated they would push the architecture and features on the building and suggest more glass if possible. Commissioner Schoenemann agreed and felt a lot of the building would be seen. She stated she wanted to see more ornamentation on the building. Commissioner Brown suggested adding the same glass that is on the side onto the middle, in order to break up the long panel piece on the west elevation.

No action was taken.

3. Adjournment

A motion was made and seconded (C. Brown, D. Linsmeier) to adjourn the meeting at 6:58pm. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk

**CITY OF PEWAUKEE
PLAN COMMISSION AGENDA ITEM 3.**

DATE: May 16, 2024

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion Regarding a Conceptual Review for StorageShopUSA for Property Located at N406 W229 Wolf Road for the Purpose of Developing a Multi-Use Rental Space (PWC 0963993)

BACKGROUND:

FINANCIAL IMPACT:

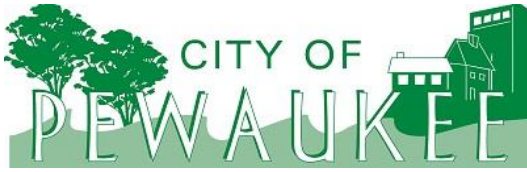
RECOMMENDED MOTION:

ATTACHMENTS:

Description

StorageShopUSA staff report 5.16.24

StorageShopUSA narrative & plans



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
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fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of May 16, 2022

Date: May 7, 2024

Project Name: StorageShopUSA Conceptual Review

Project Address/Tax Key No.: N406W229 Wolf Road/PWC 0963993

Applicant: Gregory A. Thompson, StorageShopUSA

Property Owner: Claudia L. Anderson

Current Zoning: Rs-2 Single-Family Residential District

2050 Land Use Map Designation: Manufacturing / Fabrication / Warehousing

Use of Surrounding Properties: Vacant residentially zoned lands to the north and east and Waukesha Lime & Stone Co. owned land to the south and west.

Project Description

The applicant submitted conceptual plans for Plan Commission review of a proposed multiuse development for property located at N406W229 Wolf Road. This property has an area of about 3.38 acres. The development consists of twelve 2,500 square foot buildings resulting in a total of twenty-four individual units of 1,250 square feet.

The units will be sold as condominium units and are often purchased by special trade contractors, craft manufacturing workshops, and hobbyist workshops. The units are also often used for general storage.

The construction of buildings will be phased based on sales and installation of landscaping will follow completion of the final building. Staff anticipates recommending a timeframe for plantings to be installed in case the development takes longer than anticipated to develop.

The buildings primarily consist of siding with brick accents. According to the applicant, the design and building materials utilized for the development are standard for StorageShopUSA. The Plan Commission should be aware that the applicant would only be willing to make minor adjustments to the architecture and exteriors of the buildings.

There is no access to Bluemound Road. As such, access to the site is through the single-family residential subdivision to the south, which is located in the City of Waukesha. There is also a park and an elementary and middle school located to the south.

The Fire Department has expressed concerns regarding fire suppression and the lack of public water to this site. It is recommended that public water be extended to the property. Alternatively, the applicant should work with the Fire Department to address these concerns to the satisfaction of the Fire Chief. It can be noted that a cistern may be required to provide fire protection onsite if public water is not

provided. The Fire Department has also recommended a minimum 20-foot building separation standard for the development.

The Engineering Department also recommends the extension of municipal sewer and water to serve the development, particularly considering the bedrock, adjacent quarry use, and fault line that runs near the subject property. Public sewer and water may potentially be extended from the property to the east or an extension along Bluemound Road, extending along existing Wolf Road right-of-way.

It is anticipated that the applicant will request a rezoning to the M-1 or M-2 District. These districts both generally allow warehousing and manufacturing type uses. If approved, each individual use would be required to obtain a Business Plan of Operation or Conditional Use Permit, depending on its allowance within the zoning district.

Alternatively, in accordance with Section 17.0504, the applicant may request approval of a Conditional Use Permit, which could allow a list of specific uses that may be staff approved with the submission of a Business Plan of Operation Application. This approval may list prohibited uses as well. Staff recommends this option considering the potential uses for this development.

The draft condominium documents provided by the applicant lists several uses not allowed within the development, such as automobile repair, retail uses, outdoor display or storage, and overnight parking of vehicles. This document also prohibits residential use or habitation.

Staff anticipates including these same restrictions within any City approvals. The Plan Commission may also add to this list of prohibited uses if deemed necessary. It should be considered whether any other uses may not be compatible with the surrounding area or that may have other concerns or potential adverse impacts.

Recommendation

No action required.

It is recommended that sufficient feedback be provided to allow the applicant to determine whether to proceed or not with detailed development plans and required applications.

Development Concept - Petition to Amend City of Pewaukee Zoning District Map

Developer: Gregory A. Thompson

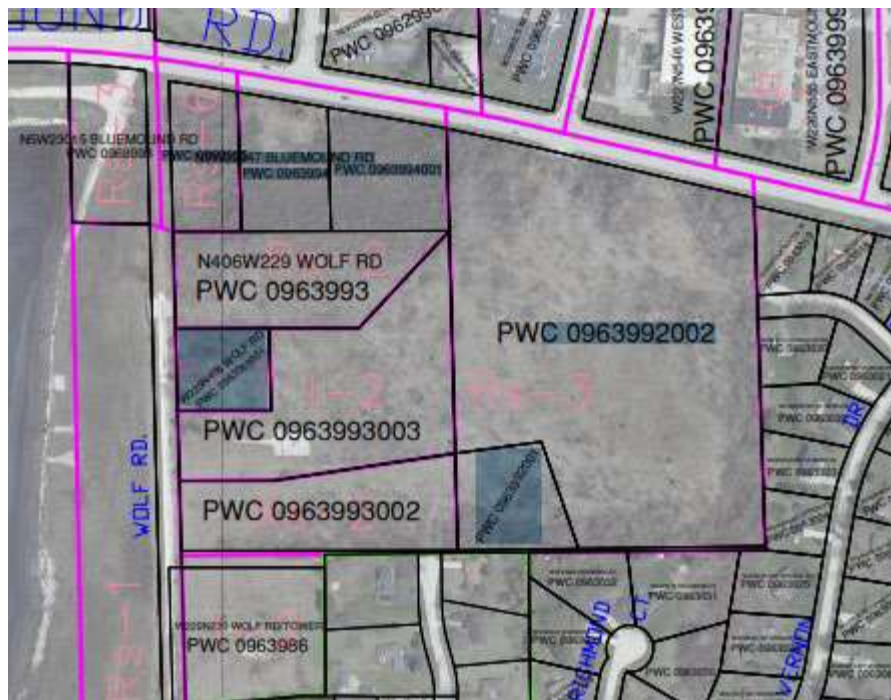
Project: 
StorageShopUSA™ - Pewaukee

Date: March 1, 2024

Petition: Amend the City Zoning District Map to designate the following property to M-1 (or to the proper zoning which will allow the proposed use).

N406W229 Wolf RD, Lot 1, Pewaukee, WI
<https://maps.app.goo.gl/X5XEayqARhBS3e8f7>

Current Zoning: Rs-2



The City's 2050 future land use plan identifies this District as "Manufacturing". The M-1 zoning classification states in part,

The M-1, General Wholesale Business/Warehouse District is intended to provide for the orderly and attractive grouping at appropriate locations of wholesale business or warehousing activities including storage and distribution of both wholesale and retail goods, but including no retail sales on the premises except as permitted by the Plan Commission.



Development Concept and Proposed Uses

The proposed development will be consistent with the trademarked StorageShopUSA™ developments located throughout Wisconsin. Basically, a "StorageShop" is a commercially zoned big garage you can utilize for business, workshop, and storage. The concept is a unique twist to the real estate market and StorageShopUSA™ has emerged as a leader in the "storage condo" industry throughout the country. StorageShopUSA™ developments utilize smaller 2500sf separate "duplex" style buildings with private sewer and water mains and laterals and are **sold** to people looking for affordable commercial space for a very wide variety of uses. A condominium form of ownership is utilized.

Each StorageShopUSA™ development uses the same copyrighted building design and formulates a distinct solution to needed commercial space. The developments have been very successful with 22 locations in Wisconsin and over 300 units sold. Consistent with the PW zoning, these units generate very little traffic and include very low intense activities/uses.

The StorageShopUSA™ development proposes the following 1 uses consistent with the M-1 zoning.

- 1) Trade and contracting services
- 2) Craft manufacturing workshops
- 3) Unclassified business uses that generate little traffic with low intensity identified as requiring 2 or less parking stalls, no drop-off/pick-up, no retail, less than 250sf of office space, and no more than one employee.
- 4) Owner workshop and storage - activities consistent with what a typical homeowner uses their garage for, but bigger, heated, and has a bathroom. Renting the space for storage is NOT allowed.

Experience over the last 18 years and 22 developments has shown that 50% of the owners utilize the space for business purposes, 30% work workshops, and 20% for storage. Many utilize the space for all three reasons – the space is very functional and in high demand. A listing of the uses from a very recent StorageShopUSA™ - Waukesha development is as follows:

- 2- electrical contractor
- 1- plumbing contractor
- 2- security systems contractor
- 1- “coffee cart” operator
- 1- sets up trade shows
- 1- remodeling contractor
- 8- workshops
- 4- car collectors/enthusiast
- 6- storage

Businesses from other StorageShopUSA locations include:

- Carpet cleaner
- Salvation Army warehouse/shop
- Computer networking
- Inflatables for kids parties
- Property manager warehouse
- Matco tools distributor
- Commercial artist
- Antiques collector/trader (no retail)
- Online marketing /advertising studio-shop
- Cleaning business

The StorageShopUSA™ developments do not allow auto repair, welding, for commercial purposes, nor any retail. There is no outside parking or storage overnight allowed either. Excerpts from the condominium rules and declaration from a recent

development in the Town of Polk are attached and the full set of condominium documents will be provided as part of the application submittal.

A preview of the StorageShopUSA website shows the following:

Project Characteristics

The proposed development will include twelve (12) duplex buildings for a total of twenty-four (24) 1250sf condominium units or the approximate equivalent to one (1) building on each 1/4acre "condo lot". The density amounts to an impervious surface ratio of approximately 45%.

The development is accessed off Wolf Rd.

The property will be served by well and septic. Waukesha, Dane, Ozaukee, and Washington counties have all approved systems for StorageShopUSA developments. Water usage data collected from 140 units over a one-year timeframe provides the basis for the design of the system. The typical sewer and water infrastructure has been approved by the Department of Safety and Professional Services (DSPS) over 20 times in the last 20 years.

The units will be priced at approximately \$170,000 based on previous sales data. The development should increase the City of Pewaukee tax base by over \$4,000,000.

Possible PUD request

A PUD overlay may be necessary to allow flexibility in the overall site design and provide allowable uses consistent with the intent of the M-1 district and developing area. The main design concerns relate to

- setbacks along the east property line
- significant elevation changes in existing topography along the west property line
- the lack of any visual impact
- the significant tree lined boundary along the west property line
- lack of sewer and water infrastructure
- the unclassified uses which match intent of the area but are not listed in the ordinance.

A yield plan can be provided to show how the site plan was modified from the current M-1 zoning regulations. The PUD overlay would provide the following:

- Utilizes the topography to create more attractive elevation changes while not creating any significant artificial berms, slopes, etc, A cut/fill balance was also necessary to maintain economic efficiency.
- Placement of the buildings to accommodate access from the lands to the north.

- Minimizes the garage doors facing the street front.
- Utilizes the existing trees along to north property line to reduce the landscape requirements.
- Allows uses that are not listed as either permitted or conditional uses but have low traffic volumes and less intense activities with very little parking requirements including an owner's workshop and storage and a multitude of other businesses.

No Detrimental Effects.

Essentially, the PUD overlay affects would be minimal.

Ownership and Organization

Once the development is approved, StorageShopUSA-Pewaukee LLC will be formed to purchase the land and see the project through to completion. Gregory A. Thompson and Tim Lebrun will be the members of the LLC.

The StorageShopUSA™ - Pewaukee development will be organized under the condominium form of ownership pursuant to Wis. Stats. § 703. A condominium association will be formed and as the units sell, unit owners will become part of the association. Once the units are sold, StorageShopUSA-Pewaukee LLC will turn over management to the Owner' association.

Project Schedule

Construction is planned to start in spring/summer of 2025. It is anticipated the project will be built in one (1) phase with the entire project completed in 2026. Each building requires a separate building permit and approval from DSPS and will be occupied as they are completed. Although there is no "phasing" the buildings are constructed in a phased manner, generally having several buildings at various stages of construction and as they are completed, they are sold and occupied. The phases shown on the plans indicates which buildings will be constructed first. Generally, they will be constructed according to the building number they have been assigned.

Additional Design Considerations

The typical StorageShopUSA™ development design has been approved by the Department of Safety and Professional Services (DSPS) over 20 times.

- 12 -2500sf "duplex" buildings for a total 24 - 1250sf units. 30,000sf total space.
- Each unit will have a 19ft wide x 18ft long parking designated for its use (described as limited common element on the condominium plat) No additional parking areas are provided nor are they necessary. Additional stalls

only attract more intense users and that is not the type of user StorageShopUSA™, and its owners, want to join the community. Attached is a traffic study performed a little over a year ago from the very first StorageShopUSA™ development in 2004. Pictures were recorded every half hour for the entire business day, and it shows very light traffic.

Generally, parking requirements include:

warehouses require 1 space/employee
office require 1 space/300sf

Office space is limited to 300sf and the proposed restriction is no more than 1 employee; therefore, 2 spaces/unit is all that is needed and provided. Historically, the designated parking area in front of each unit is all that is necessary.

- All units are ADA accessible
- 10ft to 20ft separation distances between buildings creates significantly better fire protection and drive isles are consistent with fire access turning radius. Sprinklers are not required . DSPS is considered the authority in the state of Wisconsin on fire prevention.
- Lighting is provided by each building, is hardwired, keeps the light focused on the parking and drive isle in front and does not spill to neighboring properties
- The Development will provide 24/7 access except for business operations which are regulated by City of Pewaukee ordinances
- Generally, the entire site is graded and the perimeter is stabilized. Certificates of occupancy are obtained as each building is completed. This phased approach allows units to be occupied while other units are under construction provided an asphalt binder or millings is in place. All landscape plantings and the asphalt surface coat occurs after completion of the last units.
- There is only one monument sign which identifies StorageShopUSA™ and the address of the development. Individual signs are allowed only inside the front window of the unit.
- One central dumpster is provided and serviced twice a month, sometimes only once a month at the discretion of the unit owners through their association.
- All StorageShopUSA™ developments comply with stormwater and erosion control ordinances.

Other StorageShopUSA locations to preview

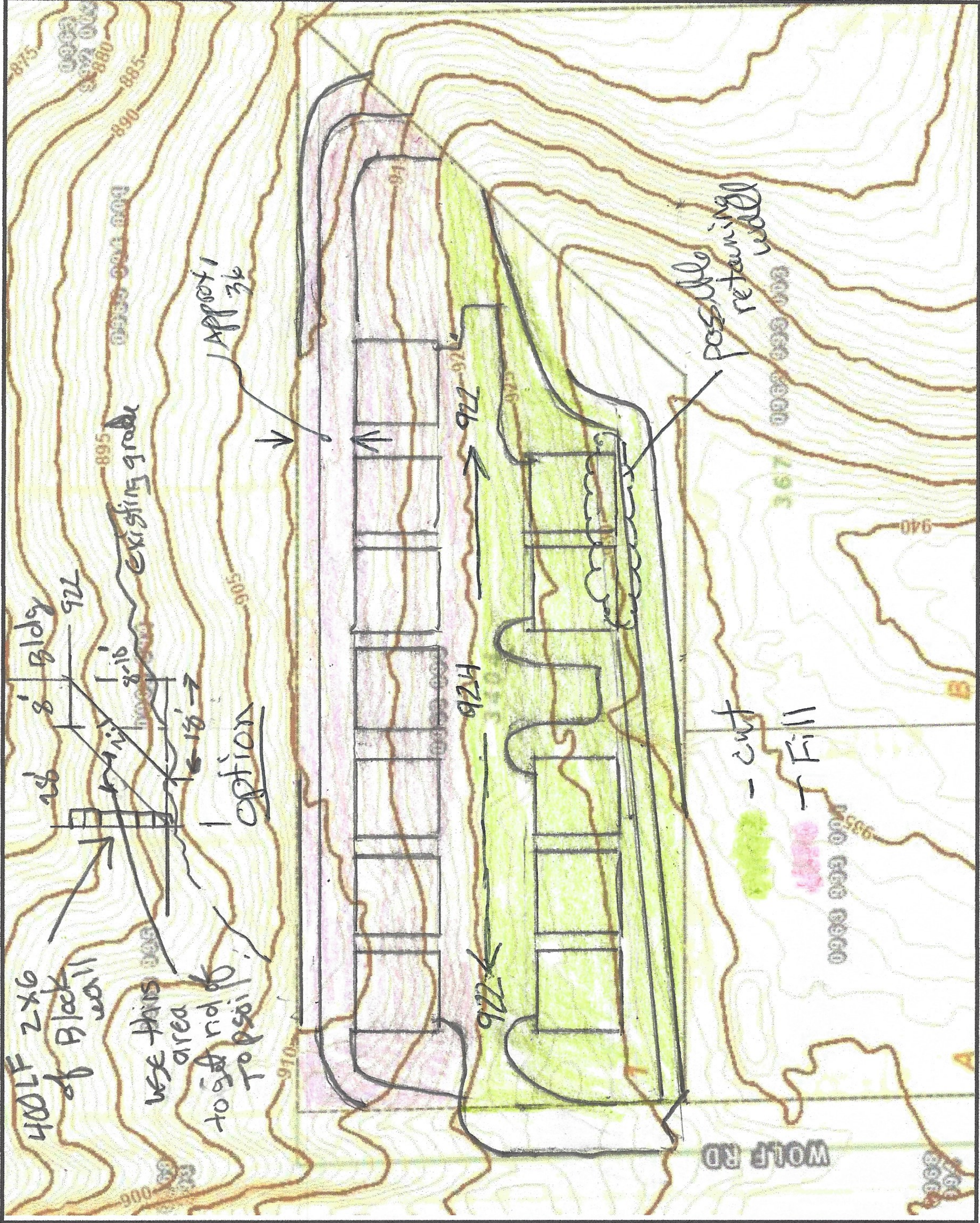
The ones in bold are closer to Grafton with Mequon being the closest.

- Lake mills: 500 Enterprise Dr Lake Mills, WI 53551
- NE Madison: 4611 Dovetail Dr Madison 53704
- Janesville: 4227 Commercial Dr Janesville 53545
- Madison east: 801 Walsh Rd Madison 53714
- **Saukville: 670 N. Progress Dr Saukville 53080**
- **Germantown: N115 W18950 Edison Drive, Germantown 53022**
- **Waukesha: 1604 Square Circle, Waukesha 53186**
- **Meno. Falls: N60 W15038 Bobolink, Menomonee Falls 53051**
- Verona: 298 Investment ct, Verona 53593
- Middleton: 8685 W Mineral Point Rd Middleton 53528
- Mcfarland: 4702 Ivywood Trail Mcfarland 53558
- Sun prairie: 5341 Wood Dr Sun Prairie 53590
- Fitchburg: 601 Post Rd Madison 53713
- **Oak Creek: 361 Oak St Oak Creek 53154**
- **Mequon: 10271 N Baldev Ct Mequon 53092**
- **Delafield 250 Enterprise Rd Delafield, WI 53018**
- Waunakee: 315 Moravian Valley Rd, Waunakee, WI 53597
- Appleton 2145 W Pershing St Appleton, WI 54914
- Depere 701 Millennium Ct Depere 54115
- Stoughton: 280 Business Park Cir Stoughton WI 53589
- Little Chute: unassigned Hartzheim Dr Little Chute, WI 54140
- 4530 Kenworth Dr Windsor WI 53598



0 137.26 Feet

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Legend

- Intermediate Contours
- Intermediate Contour
- Intermediate Depression
- Index Contours
- Index Contour
- Index Depression
- Municipal Boundary_2K
- Parcel_Dimension_2K
- Note_Text_2K
- Lots_2K
- Lot
- Unit
- General Common Element
- Outlot
- SimultaneousConveyance
- Assessor Plat
- CSM
- Condominium
- Subdivision
- Cartoline_2K
- EA-Easement_Line
- PL-DA
- PL-Extended_Tie_line
- PL-Meander_Line
- PL-Note
- PL-Tie
- PL-Tie_Line
- <all other values>
- Railroad_2K

0 100.00 Feet

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Notes:

Printed: 2/10/2024



EMAIL: SSUSA@TDS.NET | PHONE: 608-444-1515

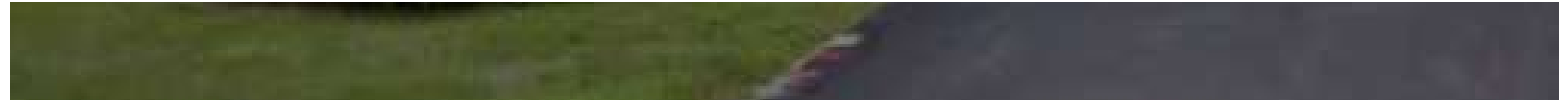
[ABOUT](#) [INVESTORS](#) [FAQS](#)

a



Wisconsin's Commercial Storage & Office Warehouse Condo Provider

SPECIFICATIONS



Madison Area

Northeast Madison	SOLD OUT!
Fitchburg	SOLD OUT!
Lake Mills	SOLD OUT!
McFarland	SOLD OUT!
Middleton	SOLD OUT!
East Madison	SOLD OUT!
Janesville	SOLD OUT!
Waunakee	SOLD OUT!
Stoughton	SOLD OUT!
Verona	SOLD OUT!
Sun Prairie	SOLD OUT!
Deforest/Windsor	SOLD OUT!
Deforest/Windsor II	NEW! Sold Out

Milwaukee Area

Waukesha	SOLD OUT!
Waukesha II	SOLD OUT!

Saukville	SOLD OUT!
Menomonee Falls	SOLD OUT!
Germantown	SOLD OUT!
Delafield	SOLD OUT!
Racine/Mt Pleasant	Request it
Oak Creek	SOLD OUT!
Mequon	SOLD OUT!
Grafton	NEW! 2 Units left
Kenosha	Request it



DePere	units available
Appleton	1 unit left
Little Chute	unit available

Commercial Storage Condo – Workshop – Business Bungalow?

Garage Condo, Commercial Storage, Storage Condo, Office Warehouse, business bungalow, or how about “Commercial Duplex”. Whatever you choose to call them is up to you. Many different names are appropriate due to the fact that [they're so darn flexible.](#)

Join the more than 150 [StorageShopUSA condo owners](#) that have already recognized the unparalleled value that comes with owning a big residential style garage that you can legally run a business out of – in other words a business or storage condo. No more wasting your hard-earned money on renting from others, owning a commercial storage condo gives you all the benefits of ownership including building appreciation and full control of your space.

Each duplex consists of 2 – 25'X 50' units that include heat, lights, 100amp service, phone, internet, cable, bathroom plumbing, as well as fully drywalled & painted walls & ceilings.

Ownership for around [\\$120,000-\\$150,000](#) per unit based on location! Purchase the whole building and save even more!

Because all StorageShopUSA units are condominiums, they are maintenance-free properties which include snow removal and yard maintenance!



Commercial Warehouse Space for Everyone!

When putting together this website, we wanted to show just how flexible a StorageShop really is – what a job that turned out to be. To begin with, how do you categorize a StorageShop? Is it an office warehouse? commercial storage? oversize storage? a business condo? or maybe a business bungalow!

Call it what you like, StorageShops are basically commercially zoned big garages you can utilize for business or personal needs. **Whatever you need space for, you can be sure that a StorageShop will work for you.**

SELF-EMPLOYED CONTRACTORS

MOTORHOME, RV, AND BOAT STORAGE

INVESTMENT PROPERTY DEVELOPERS

STORAGE & WAREHOUSE SPACE

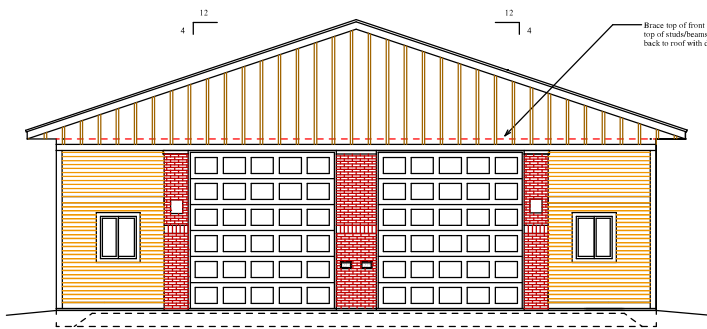
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HOBBYIST

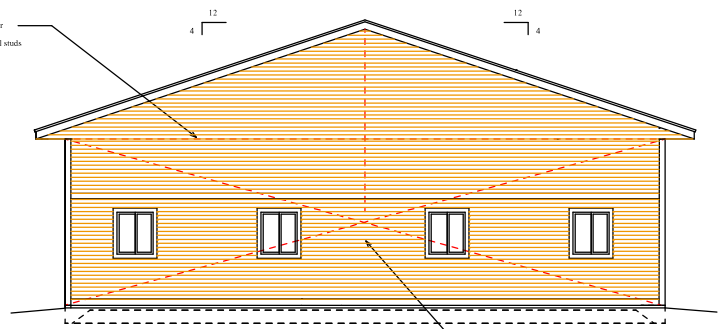
MAN CAVE

MULTI-PURPOSE

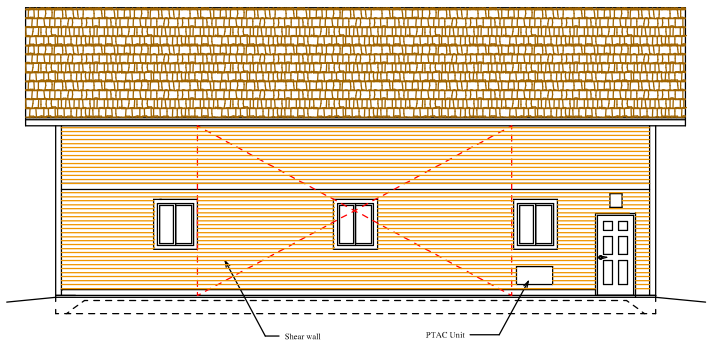




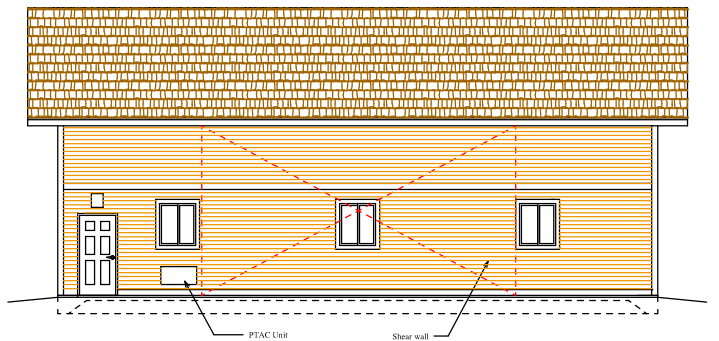
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Scale = 1/4"=1'-0"



Rear Elevation
Scale = 1/4"=1'-0"



Left Elevation
Scale = 1/4"=1'-0"



Right Elevation
Scale = 1/4"=1'-0"

Jeffrey Greiner, Architect
W125 Andover Road
Watkins, WI 53521
608-698-1196

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Concepts In Architecture, LLC

Proposed for: **StorageShopUSA**
Greg Thompson - Owner
6810 Cross Country Road
Verona, WI 53593

Address:

StorageShopUSA
Publ. of Publ.

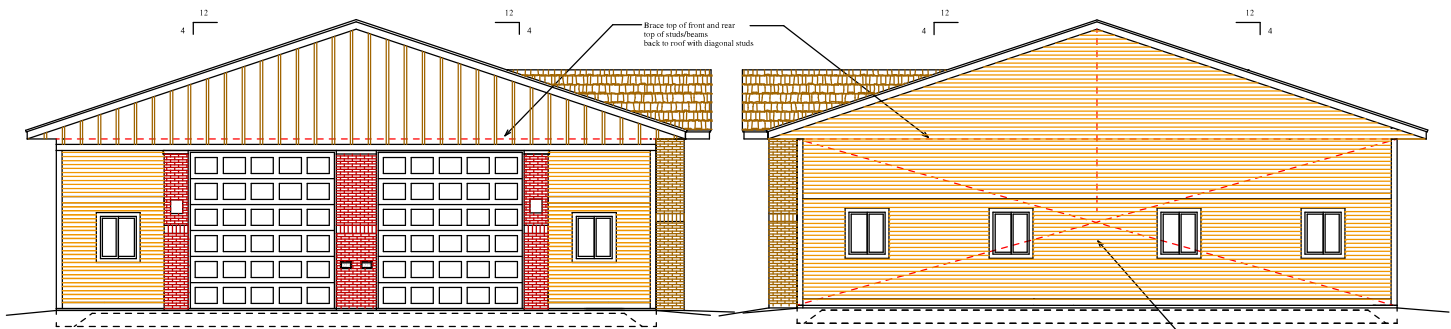
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Date: 12-08-2023

Scale: As Noted

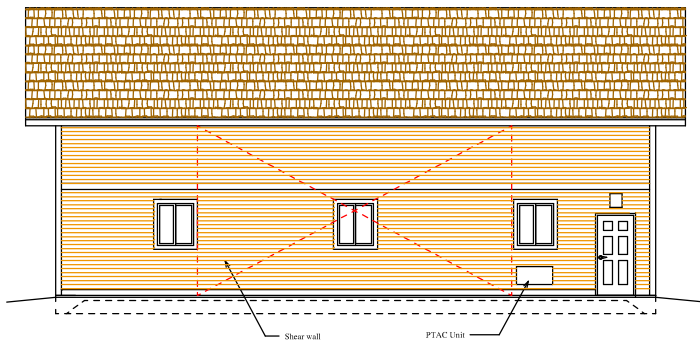
Job #: 06-01

SHEET
A3.0

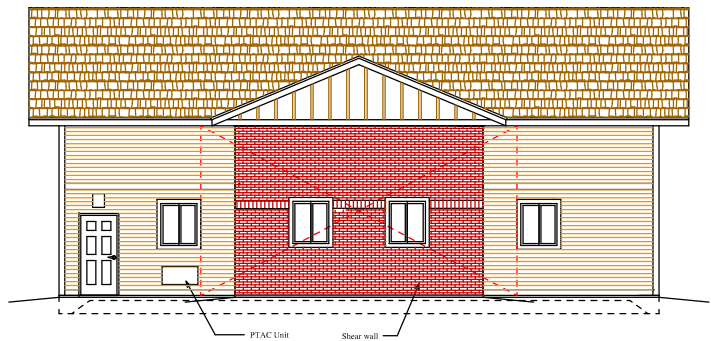


Front Elevation
Scale = 1/4"=1'-0"

Rear Elevation
Scale = 1/8"=1'-0"



Left Elevation
Scale = 1/8"=1'-0"



Right Elevation
Scale = 1/8"=1'-0"

Jeffrey Greiner, Architect
W125 Andover Road
Watkinsville, GA 30521
608-698-1196

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Concepts
In
Architecture, LLC

StorageShopUSA
Greg Thompson - Owner
6810 Cross Country Road
Victoria, MI 49353

Proposed for:
Address:
Project:
Address:
Town of Polk

StorageShopUSA
Elevations "B"

Date: 12-08-2023
Scale: As Noted
Job #: 06-01

SHEET
A3.1

**STORAGESHOPUSA – POLK CONDOMINIUM¹,
IN THE TOWN OF POLK, WASHINGTON COUNTY, WISCONSIN**

EXECUTIVE SUMMARY

This executive summary highlights for a buyer of condominium unit essential information regarding the condominium. Because the executive summary is just that, an executive summary, it cannot be relied upon as complete, correct or binding. For a complete, correct and binding understanding of your rights and obligations as a buyer of a condominium unit with respect to the enumerated items in the executive summary, you are directed to the disclosure documents to which a particular executive summary statement pertains.

1. Condominium Identification: The name of the condominium is StorageShopUSA—POLK Condominium. The principal address of the condominium is Lot 1 CSM 4431, Private Drive, Jackson WI 53037 Wisconsin, Washington County. The individual address assigned to each unit is specified in the Declaration.
2. Expansion Plans: The condominium is not subject to expansion.
3. Governance: The condominium association is the StorageShopUSA-Polk Condominium Unit Owners Association Inc., a Wisconsin nonstock, nonprofit corporation, and its address is 6810 Cross Country Rd, Verona WI, 53593 (mailing address), Wisconsin, Dane County. The association has not hired a manager of the condominium.
4. Special Amenities: There are no special amenities associated with the condominium. All amenities are on site and without special membership costs and owners and their guests and tenants are allowed to use such amenities subject to the rules and regulations of the association. All such amenities are common elements and are supported by the owners by their general assessments.
5. Maintenance and Repair of Units: Each unit owner is responsible for maintaining, repairing and replacing all improvements within the unit such as interior walls and ceiling (including drywall), floor coverings, windows, overhead door, service door, and plumbing, electrical, and heating and air conditioning systems and damages caused to common element.
6. Maintenance, Repair and Replacement of Common Elements: The condominium association is generally responsible for the maintenance, repair and replacement of the common elements, including the limited common elements. The individual unit owners are responsible for the general housekeeping of the limited common elements and the removal of snow and ice from the parking areas. Routine repairs and replacements will be funded from Unit owner assessments. Extraordinary repairs and

¹ StorageShopUSA™ is a trademark owned by Gregory A. Thompson

replacements will be funded from reserve funds to the extent such funds are available; otherwise, they shall be funded from Unit owner assessments. Unit owners may be held liable for damages caused to any common or limited common elements by their negligent or intentional acts.

7. Rental of Units: Units may be rented subject to condominium association rules and conditions as stated in the Declaration, Bylaws or Rules.
8. Unit Alterations: Unit owners may alter their units as long as they do not impair the structural soundness or integrity of the building or change the exterior appearance of the unit or building. Unit owners have no right to enclose limited common elements. The Buildings in the Condominium are specially designed and engineered *with limited opportunity for changes*, and no changes may be made to exterior walls and only limited changes may be made to interior walls.
9. Parking: Parking for each unit is specified in the declaration and plat map, but generally each unit has a parking area that can accommodate 2 vehicles. Parking dimensions are subject to change. No overnight parking is permitted on any common area or limited common area. There is NO common area parking for the use of all Unit Owners.
10. Pets: No pets or wild animals are allowed, domestic or nondomestic unless the same are necessary for American with Disabilities Act purposes or the rules and regulations permit them.
11. Reserves: The condominium association maintains a reserve account. The reserve account is not a statutory reserve account (section 703.163 of the Wisconsin Statutes).
12. Fees on New Units: Condominium fees on new units shall commence when first sold by the Declarant.
13. Amendments: The Declaration may be amended. Generally, such amendments require a two-thirds (2/3rds) vote of the Unit owners.
14. Use. The use of the Condominiums is limited to those commercial uses allowed currently or in the future by state and local zoning and use laws. (current zoning is M-1 light industrial). **The plan was approved by the Town of Polk for uses approved for the M-1 district pursuant to Article 6.01 of the Declaration.** Each owner is required to document that their use is compliant with such laws, and the Association is given a private right to require owners to comply with the same. However, no unit may be used for an automotive repair shop, welding shop or woodworking shop for “**commercial**” purposes. (Commercial woodworking may be allowed as explained in

the Declaration) Each owner is responsible for obtaining a certificate of compliance for their intended use from the Town of Polk.

Generally, the uses of the Condominiums are limited to the following:

Low intense businesses, trades and contracting services, and personal workspace which provide offices, warehousing, and workshops limited to no more than one (1) employee onsite and requires two (2) or less parking stalls.

NOTE: Businesses that generate high traffic and/or have high intense operations are discouraged.

The site is on private septic and occupancies that require water usage of MORE THAN 7500 GALS/YEAR ARE PROHIBITED.

The facility will be accessible 24/7; except that, all businesses' hours of operation will be regulated by the Town of Polk Ordinances.

- 15. Utilities.** Each unit owner is responsible for their utilities. Each unit will have separate gas and electric meters. The water meter will serve all the units and the cost of that is shared amongst unit owners and is included in the condo fee. It will be possible to meter each unit if it becomes necessary; however, it is more cost effective when the association has one meter.

- 16. Other** The condominium is subject to:

The Town of Polk Stormwater Management Facility Maintenance Agreement and other matters contained in the instrument recorded August 12, 2021 as Document No. 1540569;

Drainage Easement and Private Road Dedication by Roman W. Hoffmann, David L. Hoffmann, Sr., William R. Hoffmann, and Michael J. Hoffmann and other matters contained in the instrument recorded January 12, 1995 in Volume 1482, page 332 as Document No. 684495. As amended by Amendment No. 1 to Private Road, Drainage Easement recorded August 12, 2021 as Document No. 1540570.

Association or of other Unit Owners that otherwise might result from the improvement.

5.04 Temporary Limited Common Elements. During the original construction of a Building that will, when finished, contain one (1) or more Units or other improvements, the building site or site of other improvements shall be designated as a **Temporary Limited Common Element**. The building/improvement site shall be more specifically determined by the Declarant or its assigns, which shall have the exclusive use of such area during the construction period (for the Declarant and the Declarant's contractors and subcontractors and respective employees and agents), and Declarant shall be responsible for all costs of the original construction, road and parking improvements, and landscaping within the building site. Subject to Declarant control, upon the issuance of an occupancy permit for a Unit or Units within the Building by the municipality in which the Condominium is located, the temporary Limited Common Element for the building site shall terminate as to those Units completed with occupancy permit.

ARTICLE 6 USES

6.01 Commercial Purposes Only. The Units, Limited Common Elements, and Common Elements of the Condominium shall be used for small scale commercial office, owner workshop, and associated warehousing purposes only within the M-1 District. They shall not be used for residential use or habitation.

No Unit may be used for the commercial operation of an automotive business (including but not limited to repair, detailing, painting, and tinting), or commercial welding shop.

The following uses, as such uses are defined from time-to-time by Town of Polk Code of Ordinances, are allowed within the Condominium according to the M-1 District:

- ✓ Operations conducted entirely within an enclosed structure or fully screened outdoor storage or assembly area (Ord. Sec. 17.3.09)
- ✓ Commercial contractors and similar such use. – (Ord, Sec. 17.3.09 (A)(16)). Commercial contractors such as electricians, plumbers, and other types of trades and service businesses which require a small office and some warehouse space. These types of businesses generate little traffic with low intensity and can be identified as requiring 2 or less parking stalls, no drop-off/pick-up, no retail, less than 300sf of office space, and no more than one employee.
- ✓ Storage and warehousing- (Ord, Sec. 17.3.09 (A)(9)). Business storage and warehousing including workshops for crafters, antiques, and alike. These types of uses generate little traffic with low intensity and can be identified as requiring 2 or less parking stalls, no drop-off/pick-up, no retail, less than 300sf

of office space, and no more than one employee.

- ✓ Other uses deemed by the Plan Commission to be substantially the same as a use listed above – (Ord, Sec. 17.3.09 (A)(18)). Other *similar uses* such as a home-based business, that generate little traffic with low intensity and can be identified as requiring 2 or less parking stalls, no drop-off/pick-up, no retail, less than 300sf of office space, and no more than one employee.

The following uses, as such uses are defined from time-to-time by Town of Polk Code of Ordinances, are prohibited within the Condominium according to the PUD District:

PROHIBITED USES

- Retail uses
- Residential or habitation uses
- Office uses utilizing more than 250 square feet of floor area
- Rental storage uses
- Any use requiring a sprinkler system under applicable law
- Outdoor storage or display of materials, equipment, or merchandise
- Outdoor overnight parking of motor vehicles
- Auto repair and welding for commercial purposes.

UNCLASSIFIED USES

Uses not identified as Prohibited Uses, Allowed Principal Uses or Allowed Accessory Uses, which are similar in nature and characteristics to Allowed Principal Uses or Allowed Accessory Uses identified herein must be deemed compatible with the M-1 District by the Town of Polk Zoning Administrator and then approved by the Town of Polk Plan Commission. For purposes of this paragraph, a proposed Unclassified Use shall be deemed “compatible” if it is similar in nature and characteristics to an Allowed Principal Use or Allowed Accessory Use, it would not be contrary to any provision of the M-1 District or this Declaration and it would not be contrary to the Town’s plans or contrary to the general welfare and economic prosperity of the community.

OPERATIONAL RESTRICTIONS

Only one (1) principal use and one (1) accessory use is allowed per individual unit. Each individual unit shall be limited to no more than one (1) employee working at the unit at any given time. Off-street parking and loading areas shall comply with the condominium plat (see EXHIBIT II) and with the terms and conditions of the Town of Polk site plan approval.

Provided the same does not interfere with the enjoyment of any other Unit Owner of a Unit, the Common Elements, or the Limited Common Elements, Unit Owners may use their Unit for any purposes allowed by the current or future zoning and federal, state and local building use laws and zoning laws. PARKING AVAILABILITY MAY AFFECT CERTAIN USES. Also, the use of the Units, Limited Common Elements and Common Elements shall comply

with all Ordinances of the municipality in which the Condominium is located, and any other restrictions as contained in the Association By-Laws and any rules and regulations adopted by the Association. No use may unreasonably interfere with the use and enjoyment of the Common Elements or other Units by other Unit Owners. There shall be no storage or use of hazardous material, and there shall be no storage of any other material or activity, which would increase the insurance rates on the Condominium. Owner shall be responsible for all improvements necessary for Unit to accommodate a particular type of use (for example, for general office use, upgraded heating and cooling may need to be installed).

Each user of a building Unit shall comply with the accessible parking requirements pursuant to the American Disabilities Act. Generally, accessible parking is not required when the user does not have employees working at the unit or customers/clients visiting the unit. All owners agree to cooperate with any future issues pertaining to accessible parking in the interest of fairness to all unit owners, complying with the ADA, and functionality which may include, but not limited to, adjusting limited common elements designated for parking.

Each user of a Building Unit shall promptly submit proof of the Association that their use complies with all zoning and building codes. The Association is granted a private right to monitor the use of each Unit for purposes of this Section 6.01. In the event a Unit Owner is violating this Section 6.01, the Association may give notice to the Unit Owner of such violation, and, except as to hazardous substances which shall be removed immediately, the Unit Owner shall have 30 days to correct such violation. If the same is not corrected in a timely manner, the Association may assess the Unit Owner a penalty between \$25.00 to \$100.00 per day for a continued violation of this Section 6.01, which assessments shall be applied in ultimate good faith by the Association.

6.02 Leasing. A Unit may be leased or rented consistent with this Declaration, and pursuant to rules established by the Association. However, a Unit Owner, other than the Declarant, may not rent or lease a Unit except as provided below (Declarant shall not be subject to these restrictions):

1. The rental agreement or lease (“**Lease**”), and any amendments, extensions or renewals, shall be in writing and a copy given to the Association President. Prior to the Unit Owner entering into said Lease or amending, extending or renewing same, the proposed tenant or assignee shall enter into a written agreement agreeing to be bound by the terms and conditions of this Declaration, the Bylaws, the Rules and Regulations and all other regulations of the Association and such tenant or assignee agrees to submit themselves to the governing jurisdiction of the Association. Notwithstanding the above, the owner of the Unit shall be also be responsible for compliance with this Declaration, the Bylaws and the Rules and Regulations of the Condominium, as well as for the actions of any tenant of the unit owner.
2. The Association may further implement reasonable policies regarding the renting or leasing of Units pursuant to its rule/regulation making authority,

but the Association shall take no action to prevent, hinder or obstruct an owner's right to lease their Unit. Notwithstanding, the following shall apply:

a. Limitation. The Units owners may prohibit or material restrict the leasing of Units in the Condominium by a written vote of 80% all Unit owners in the Condominium and the unit owners' lenders, not including the Declarant, with such member vote taken consistent with the Bylaws of the Condominium. Such change shall be documented as an amendment to the Bylaws. If a Unit does not have a mortgage lien attached to such Unit, the vote of the Unit shall be the same as the vote of their "lender". The Association shall record and maintain for three (3) years ballots for each vote of a Unit and their lender pursuant to this Section.

b. Grandfathered Lease. To the extent the owners and their lenders vote by 80% to limit or prohibit leasing of Units in the Condominium pursuant to 6.02.2.a., any Unit then being leased shall not be subject to such prohibition or restriction and said leasing activity shall be "grandfathered" in as a use unless this Declaration is amended by a vote of 25 of the unit Owners and their lenders, pursuant to the process as provided by statute.

3. All Tenants, and all leases, are subject to the Declaration, Bylaws, and Rules and Regulations of the Condominium.
4. Rental of Units for storage use is prohibited.

Any restrictions against leasing contained in this Section 6.02 (except for 6.02(4)) shall not apply to leases of the Units by the Declarant or leases of the Units by the Association.

6.03 Sign Restriction. Except for Association identification signs (as well as its limited common elements), traffic control signs, maintenance building identification signs and building address signs, and such other signs as approved in the Rules and Regulations, no signs, advertisement, notice, or other lettering shall be exhibited on any portion of any Unit or on any other portion of the Condominium property, except the Declarant shall have the right to exhibit one permanent StorageShopUSA™ sign in the location approved by Town of Polk, one temporary project identification sign and one sale office sign with related marketing information and "For Lease" or "For Sale" signs in Units owned by the Declarant. The Association shall not remove such signs. Moreover, limited and temporary sale signs for Units not owned by the Declarant, open house signs, garage sale signs, election signs and other signs as may be permitted by the Association. The Association Board of Directors is granted full and broad discretion in adopting Rules and Regulation as to such signs.

6.04 Animal Restriction. No animals are permitted on any part of the Condominium land (except as required by law), including, but not limited to, any Unit, Common Area, Limited Common Element, or Temporary Limited Common Element, except as allowed by the Rules of the Association.

SUMMARY OF TRAFFIC STUDY

For

StorageShopUSA Development at 4611 Dovetail Dr. Madison

August 12, 2020 7:30am to 7:30 pm

Site developed in 2004

Total number of units = 24 (12 buildings)

Counted all traffic in and out and took pictures every half hour

Total Trips in 12 hours = 84 (in and then out of the development is 2 trips)

Ave. Trips/hour = 7

Ave trips/unit = 3.5/day (ave trips for a SFH is 10/day)

Max trips/ hr = 12 (between 8:30 and 9:30am)

Rush hour trips = 9.5/hr (between 4pm and 6pm)

Current traffic count = 2 SFH = 20 trips/day

Projected traffic count = 24 units= 84 trips/day

Net increase = 64 trips.

Observations:

- 90% of the trips were generated by 5 of the units. Units 9, 11, 12, 16, and 18. Four of those units are auto related businesses which involve *“onsite retail, service businesses which require customer drop-off and pick-up, ... and are prohibited.”* (language taken directly from staff report regarding uses)
- 6 of the 12 buildings had no activity all day long.

Summary

Regulating the uses by not allowing drop-off and pic-up type businesses significantly reduces the number of trips to a StorageShopUSA facility. The number of trips generated projected should not be much more, if any, than the typical trips generated by residential development.

StorageShopUSA™- Traffic
Wednesday, August 12, 2020

*Dovetail Dr, Madison
Developed in 2004-05*





