

Village of Menomonee Falls, Wisconsin

**PLAN COMMISSION
MINUTES**

August 3, 2021

Chairperson Dave Glasgow called the meeting to order at 6:30 pm.

Present: David Glasgow, Chairperson; Paul Tadda, Trustee; Chris Rolenc, Member; Paul Curtiss, Member; Jennifer Grant, Member; Niki Schaumberg, Member; Steve Bruskiwicz, Member

Staff Present: Director of Community Development Matt Carran; Planner Gabe Gilbertson

Pledge of Allegiance

Roll Call

Approval of minutes of the July 6, 2021 Plan Commission meeting.

Motion by Member Chris Rolenc, second by Member Paul Curtiss to approve minutes of the July 6, 2021 Plan Commission meeting.

Vote: 7 - 0 Motion Carried

PUBLIC HEARINGS

Public hearing on a recommendation to the Village Board of Trustees on the request of JAMA MENOMONEE FALLS, LLC to obtain a Conditional Use Permit and Yard Adjustment, and a consideration of approval for a lighting adjustment for an AMATO HYUNDAI auto dealership, located at on the vacant parcel south of Woodman's Food Market, on Leon Road, Tax Key Number 48.985.002, I-1 Light Industrial Zoning District.

The following asked to be heard:

- Peter Ogorek, Perspective Design, 11525 W North Avenue, Wauwatosa, WI 53226

No one else spoke. The public hearing closed at 6:38.

ACTION ITEM

Consideration of a recommendation to the Village Board of Trustees on the request of JAMA MENOMONEE FALLS, LLC to obtain a Conditional Use Permit and Yard Adjustment, and a consideration of approval for a lighting adjustment for an AMATO HYUNDAI auto dealership, located at on the vacant parcel south of Woodman's Food Market, on Leon Road, Tax Key Number 48.985.002, I-1 Light

Industrial Zoning District.

Motion by Member Chris Rolenc, second by Member Paul Curtiss to recommend the Village Board of trustees approved the conditional use permit subject to the following bullet points being reconciled prior to a building permit being issued and the 7 conditions:

- Reconciling and complying with all conditions from the Engineering Department and Fire Department listed in this Staff Report.
1. This Permit shall become effective upon the execution and recording by the owners of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
 2. This Permit shall be void unless, pursuant to the Zoning Code of the Village, Building or Occupancy and Zoning Use Permits in conformity to this Permit, are obtained within six (6) months of the date hereon, the date on which the conditional use Permit was granted.
 3. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Village.
 4. Construction and operation of the use granted shall be in strict conformity to the approved site, building and operation plans filed with the Village Board in connection with the Petition for this Permit.
 5. The conditional use and structure are in accordance with the purpose and intent of this Ordinance, and is found to be not hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community.
 6. All site, building and landscaping shall be completed in strict conformity to the plans approved by the Architectural Control Board. Any deviation in color, material, landscaping, or architectural details shall be returned to the Architectural Control Board for re-approval.
 7. There shall be no outside storage of new or used equipment, materials, or merchandise other than vehicles for purchase. Vehicles used for parts salvage shall not be permitted on site at any time.

And; to recommend the Village Board of Trustees approve the attached yard adjustment resolution subject to changing the 6.5' yard adjustment to a 7' yard adjustment.

And; to grant the following Lighting Adjustments for the proposed Amato Hyundai auto dealership:

- One pole mounted light located 33 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 14 feet –the proposed light would be 10 feet taller than allowed.
- One pole mounted light located 15 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 8 feet –the proposed light would be 16 feet taller than allowed.
- One pole mounted light located 33 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 14 feet –the proposed light would be 10 feet taller than allowed.
- Two pole mounted lights located 60 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 23 feet –the proposed light would be 1 foot taller than allowed.
- Four pole mounted lights located 42 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 17 feet –the proposed

light would be 7 feet taller than allowed.

- One pole mounted light located 47 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 18.5 feet –the proposed light would be 5.5 feet taller than allowed.
- One pole mounted light located 17 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 8.5 feet –the proposed light would be 15.5 feet taller than allowed.
- Three pole mounted lights located 10 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 6.5 feet –the proposed light would be 17.5 feet taller than allowed.
- One pole mounted light located 30 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 13 feet –the proposed light would be 11 feet taller than allowed.
- One pole mounted light located 54 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 21 feet –the proposed light would be 3 feet taller than allowed.
- Two pole mounted lights located 24 feet from the property line, which according to the municipal code would only allow a pole with a maximum height of 11 feet –the proposed light would be 13 feet taller than allowed.

Vote: 7 - 0 Motion Carried

Public hearing on a recommendation to the Village Board of Trustees on the request of WEAS DEVELOPMENT to obtain Planned Infill Development (PID) Overlay Zoning District approval for a mixed-use development southeast corner of Appleton Avenue and Good Hope Road, Tax Key Numbers 93.967, 93.969, and 93.973, in the I-3 Office and Light Industrial and C-1 Neighborhood Business Zoning Districts.

The following people asked to be heard:

- Doug Weas with Weas Development, 172 N Broadway, Milwaukee, WI 53202
- Kathleen Bucher, W126N7028 Highland Drive, Menomonee Falls, WI 53051

An email from resident Ray Krahn of W130N7121 Mary Dale Drive, Menomonee Falls, WI 53051 was submitted. In the email, Ray Krahn provided three questions that he requested responses to. Those questions and answers from the applicant are listed below:

1. The resident requested to know what kind of brewpub was proposed for the development. The applicant stated that is more of a restaurant that serves lunch and dinner and closes at 10:00 pm. However, at this time, he was not able to release the name of the proposed user.
2. The resident asked what other businesses are proposed for the remaining commercial building. The applicant stated that they are seeking a breakfast/coffee shop to take a tenant space the remaining tenant spaces would be general retail.
3. The resident asked if the proposed commercial development would impact their property taxes. According to the Assessment Department located at Village Hall, assessments are determined based on comparing a property to other properties of the same use. Therefore, the commercial development should not impact their property's assessment.

No one else asked to be heard. The public hearing closed at 6:55 pm.

ACTION ITEM

Consideration of a recommendation to the Village Board of Trustees on the request of WEAS DEVELOPMENT to obtain Planned Infill Development (PID) Overlay Zoning District approval for a mixed-use development southeast corner of Appleton Avenue and Good Hope Road, Tax Key Numbers 93.967, 93.969, and 93.973, in the I-3 Office and Light Industrial and C-1 Neighborhood Business Zoning Districts.

Motion by Member Chris Rolenc, second by Member Paul Curtiss to recommend the Village Board of Trustees adopt the attached ordinance approving the PID Planned Infill Development Overlay Zoning District for the Good Hope Triangle mixed-use development subject to correcting the second bulleted exception for the Residential Development portion of the Ordinance to read:

- The southern residential building will be allowed 27.8' from Appleton Avenue rather than the 30' required.

Vote: 7 - 0 Motion Carried

APPEARANCES

Consideration of a recommendation to the Village Board of Trustees regarding the final plat of EDGEWOOD PRESERVE ADDITION NO. 1, located on the East side of Town Hall Road, approximately 1/4 mile North of Good Hope Road, on the parcel identified by Tax Key Number 64.985, and a portion of the parcel identified by Tax Key Number 64.985.004.

Motion by Member Chris Rolenc, second by Member Paul Curtiss to recommend the Village Board of Trustees approve the Final Plat of Edgewood Preserve Subdivision Addition No. 1 subject to compliance with all 40 conditions of village staff noted above, the 5 conditions noted by Waukesha County, and all conditions required by the Department of Administration.

Vote: 7 - 0 Motion Carried

Conceptual Review of the VENTURESPACE COMMERCIAL CONDOMINIUMS proposed at W140N5683 Lilly Road, on the parcel identified by Tax Key Number 104.993.

Michael Frede with VentureSpace, LLC, W330N4191 Lakeland Drive, Nashotah, WI 53058 was present to address the Plan Commission.

Because the item was a conceptual appearance to discuss the project, no action was taken.

Consideration of a recommendation to the Village Board of Trustees to declare excess right of way and adopt a resolution introducing and referring for public hearing and proceedings a Resolution regarding the vacation of Water Street, generally located on the east side of Water Street going north and south of the Water Street and Pershing Avenue intersection. The subject right of way is located west of the parcels identified by Tax Key Numbers 9.987.006, 12.018.002, 12.012, 12.011, 12.996, and 12.994.

Motion by Member Chris Rolenc, second by Member Paul Curtiss to recommend the Village Board of Trustees declare the lands described in Exhibit D as excess right of way, and approve the attached Resolution.

Vote: 7 - 0 Motion Carried

ADJOURNMENT

Motion by Member Chris Rolenc, second by Member Paul Curtiss to adjourn. The meeting adjourned at 7:28 pm.

Vote: 7 - 0 Motion Carried

Submitted by Matthew A. Carran, Plan Commission Secretary
Minutes transcribed by Gabriel Gilbertson, Planner
Minutes approved on