

TOWN OF GENESEE PLAN COMMISSION MINUTES

August 27, 2018

Chairman Leair called the meeting to order at 6:00 p.m.

Present were: Plan Commissioner Brett Engelking, Buck Houston, Jeff Lightfoot, Bob Christiansen, Joe Turzynski. Absent: Mike Toole. Also present: Planner Jeff Herrmann and Plan Commission Secretary Cindy Zignego.

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town of Genesee Plan Commission on August 27, 2018 at 6:00 p.m. at the Town of Genesee Town Hall, S43 W31391 S.T.H. 83, Genesee Depot, Wisconsin 53127 to consider the request of Pamela Kopecky to operate a Hobby Kennel with a maximum of three (3) dogs for the purpose of personal pets at W302 S2907 S. Bethesda Circle, Waukesha, WI 53188. The property is legally described as Lot 4, Block 8, Skyline Heights, being a part of the SE ¼ of Section 10, in the Town of Genesee. All Interested Parties will be heard.

Pamela Kopecky explained that her daughter moved in with her dog and that is the reason for the request for three dogs since they already own two dogs. There is an invisible fence on the property. They have no intention of owning any more dogs.

Leair opened the floor up for comments. There were no comments. Leair opened the table for discussion. Leair closed the hearing at 6:04 p.m.

Discussion/Action – Pamela Kopecky, W302 S2907 Bethesda Cr., Waukesha, WI 53188 to operate a Hobby Kennel with a maximum of (3) dogs for the purpose of personal pets. (Tax Key GNT 1480-070)

Leair explained that this is a request for a Hobby Kennel permit. Houston made a motion to approve subject to the standard conditions:

1. Subject to the applicant obtaining all appropriate licenses from the Town prior to housing more than two dogs at the property.
2. Subject to the applicant paying all required fees to the Town prior to housing more than two dogs on the property.
3. Subject to the applicant providing to the Town, proof of all required vaccinations prior to housing more than two dogs on the property.
4. Subject to the Town being granted by the applicant, the right to inspect the exterior premises at any reasonable time for any proper purpose related to the hobby kennel approval, and application for and receipt of a hobby kennel approval shall be deemed to so authorize the Town to inspect as described herein.
5. Subject to the Town Plan Commission reserving the right to rescind its approval of the hobby kennel based upon the finding that the use is incompatible and a nuisance to surrounding uses, that the use is not in the public interest, or that the use adversely affects the use of adjacent lands, provided the applicant is given an opportunity to be heard on the matter, and if so rescinded the applicant shall immediately be subject to the Town of Genesee Zoning Code requirements regarding the number of dogs on the property, as though there were no hobby kennel authorization granted.
6. Subject to the hobby kennel and dogs on the property not being used for commercial purpose in any manner, as operation of a commercial kennel requires approval of a conditional use permit by the Town of Genesee Plan Commission per the Town of Genesee Zoning Code.
7. Subject to the hobby kennel use being accessory to the principle use of the property.

8. Subject to the maximum number of dogs allowed under a Hobby Kennel Permit being five (5) with Plan Commission approval.
9. Subject to no more than two litters of puppies being born on the property per year, and any such dogs being sold or otherwise removed from the property within six months of their birth.
10. Subject to such other conditions as the Plan Commission may deem to be appropriate upon review of each specific request, which shall be stated along with these conditions in the minutes of the Plan Commission in their approval of the hobby kennel.
11. Subject to this hobby kennel permit being issued for no more than five (5) dogs at any time.
12. Subject to this permit being strictly for _____.

Engelking seconded. Motion carried unanimously.

Discussion/Action – Scott Mattila, Accessory Building in excess of 1,600 square feet, W330 S3892 Honeysuckle Drive, Dousman, WI 53118. (Tax Key GNT 1512-031)

Herrmann stated Mattila is requesting a 60 ft. x 40 ft. pole building for personal storage. Most residences in this area have detached accessory buildings. Herrmann noted the building cannot be used for a commercial operation. Engelking made a motion to approve as presented, seconded by Houston. Motion carried unanimously.

Discussion/Action – Mark Katzer, Accessory Building in excess of 1,600 square feet, W326 S3530 Mesa Trail, Dousman, WI 53118. (Tax Key GNT 1507-038)

Herrmann and Katzer confirmed that this is a request for a 40 ft. x 60 ft. pole building for personal storage. Engelking made a motion to approve as presented, seconded by Christiansen. Motion carried unanimously.

Discussion/Action – Site Plan/Plan of Operation Red Lion Pub & Mini Bowl, W325 S1767 Mickle Road, Delafield, WI 53018. (Tax Key GNT 1457-999-002)

Paul Bialas and William Brink represented Red Lion Pub. Herrmann explained that Brink will take over three quarters of the building for Kettle Moraine Heating and Air Conditioning and Bialas will operate the Red Lion Pub and Mini Bowl in the remaining front area. It is just a tavern with a small grill. Bialas may renovate this and lease to somebody else to run. Bialas may not be the owner/operator. Leair informed that whoever will be running the Pub will have to come back to the Plan Commission for approval and apply for the liquor license under their name. Herrmann informed that a final plan and owner would need to be reviewed prior to approval. Brink requested the concept for a small pub be approved. Engelking asked if it could be approved subject to final plan. Herrmann said it could be approved with an order to change. The liquor license would have to be changed to new owner and through the Town Board. Leair stated that they have to submit the new plans and inform who is the new owner. Leair mentioned that the banner would not be allowed. Herrmann said a temporary sign for 14 days would be allowed and would need to be reviewed by Planner. Engelking made a motion to approve the request subject to the Planner's Report and Recommendation dated August 20, 2018.

**TOWN OF GENESEE PLAN COMMISSION
PLANNER'S REPORT & RECOMMENDATION
SITE PLAN/PLAN OF OPERATION**

NAME: Red Lion Pub & Mini Bowl

DATE: August 20, 2018

TAX KEY NO.: GNT 1457.999.002

NAME OF PETITIONER: Paul Bialas
d/b/a Red Lion Pub & Mini Bowl
4101 Oakmont Trail
Waukesha, Wisconsin 53188

NAME OF OWNER: William Brink
3330 Bayview Court
Delafield, Wisconsin 53018

LOCATION OF PROPERTY:
Lots 2 and 3, Certified Survey Map No. 10868, being a part of the NE ¼ and NW ¼ of Section 5, Town of Genesee, containing approximately 4.06 acres.

ZONING CLASSIFICATION:
B-3 General Business District.

PRESENT LAND USE:
Vacant (formerly a Restaurant, Banquet Facilities, Outdoor Volleyball Court & Parking).

PROPOSED REQUEST:
Tom Saxe owned the property for over twenty (20) years and recently sold the property to William (Bill) Brink. The property is located on both sides of Mickle Road. The land on the west side of Mickle Road contains the existing restaurant/tavern with banquet facilities (formerly Bucky's West and 18 West Restaurant) and employee parking. The land on the east side of Mickle Road contains an outdoor volleyball court and additional customer parking. Over the years, the owner has made changes and/or applied for various improvements to the property as follows:

- 1989 13 ft x 60 ft. Atrium Addition.
- 1989 13 ft. x 37 ft. Deck Addition to the North side of Building.
- 1992 73 ft. x 125.5 ft. Banquet Hall Facility to the West side of the Restaurant.
- 1995 16 ft. x 40 ft. Storage Addition.
- 1997 22 ft. x 28 ft. Storage Addition – West Side of Building.
- 1999 Enclosed existing Outdoor Dining and Patio Area.
- 2001 15.5 ft. x 16 ft. Entry Addition.
- 2015 Interior Changes – No Permits.

There have also been several changes to the signage on the property with most recent digital sign being approved in 2011.

In 2015, the former owner (Tom Saxe) sold the business to John Biwer, but re-acquired the business. The new owner (William Brink) is proposing to take over a portion of the building for his heating and air conditioning business, while his brother-in-law (Paul Bialas) is proposing to take over the operation of the restaurant/tavern and volleyball courts.

According to the application, Paul Bialas (operator of Red Lion Pub and Mini Bowl) the bar portion of the building will be sectioned off from the heating and air conditioning business. Approximately one-half of the bar will become a four (4) lane mini bowl. The mini bowl lanes will be made from refurbished bowling lanes and will allow space in the back for hired "pin setters" to set the pins for patrons. The bar side will remain

similar, with a very small kitchen (to be relocated), just a grill possibly on side of bar. In addition, he would like to reopen the existing volleyball courts for leagues.

The days and hours of operation will be Sunday – Saturday from 5:00 a.m. to legal bar time. The business will employ six (6) full-time, twelve (12) part-time and eighteen (18) seasonal employees. According to the application, the petitioner is proposing to have amplified music (Live, DJ, Juke Box) indoor and on the patio beer garden. Juke Box or other music at the volleyball courts. The petitioner is proposing to utilize the existing electronic sign and add a 3 ft. x 4 ft. banner sign underneath the electronic sign. The property contains a total of 210 parking spaces. The proposed use requires a total of 48 spaces. The property is currently served by a private waste disposal system and private well.

PLANNER’S RECOMMENDATION:

Based upon the above information, the Town Planner recommends the Town Plan Commission **approve** this request subject to the following conditions:

1. The business operation shall be limited to the operation of a restaurant/tavern and mini bowl facility, as well as outdoor volleyball courts.
2. Absolutely no additional outdoor lighting shall be allowed, unless approved by the Town of Genesee Plan Commission.
3. The hours of operation shall be as follows: Sunday – Saturday from 5:00 a.m. until legal bar time.
4. All outdoor volleyball activities shall cease no later than 11:00 p.m. every day of the week.
5. No outside/outdoor amplified music shall be allowed except; during outdoor special events or during volleyball games from 4:00 p.m. to 10:00 p.m. or other times with special Town Plan Commission approval.
6. A special event is defined as an event in which space outside of the restaurant is utilized for patrons and that is not normally used for patron use during normal business hours. All special events shall be reviewed and approved by the Town Plan Commission at least 30 days prior to said event.
7. An interior floor plan shall be submitted to the Town Planner for review and approval prior to the issuance of any permits. In addition, a zoning permit may be needed for any new construction activities as well as a building permit and possibly state approved building plans.
8. The existing LED sign shall not be animated by means of intermittent, scintillating, scrolling or traveling lights or any other device or means not providing constant illumination. The sign display/image may change no greater than every 10 seconds. The illumination setting of the sign shall be kept to acceptable level. Town of Genesee reserves the right to require the sign illumination be turned down for any reason or removed if said sign becomes a nuisance. No permanent banner signs shall be allowed and all temporary banner signs shall only be allowed for no more than two (2) weeks\, subject to town Planner approval prior to erecting any banner signs.
9. A Restaurant License and prerequisite inspection shall be completed and documentation of said inspection and compliance shall be submitted to the Town Planner prior to issuance of an occupancy permit.
10. A new Liquor License shall be applied for and approved by the Town Board. Any and all conditions of approval shall be complied with. Failure to comply with the conditions of approval could result in the

liquor license and/or the use permit being revoked.

11. The Waukesha County Environmental Health Division shall inspect and approve the existing private waste disposal system for the existing uses on the property.
12. Live and/or Amplified Music is allowed inside the restaurant. Music at the Volleyball courts shall only be played when an active game is taking place. The Music shall be kept to an acceptable level and if said music becomes a problem in the area, the Town Plan Commission shall have the right to modify or discontinue the outdoor music.
13. Documentation shall be submitted to the Town Planner that the Wales-Genesee Fire Department has inspected the proposed premises and all necessary fire codes are in compliance prior to the issuance of a use permit.
14. Subject to the Town Building Inspector inspecting the premises and all applicable building codes and permits have been applied for and complied with prior to the issuance of a use permit. A copy of all state approved plans shall be submitted to the Town Planner and the Town Building Inspector.
15. Absolutely no outside storage shall be allowed, except with special Town Plan Commission approval.
16. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
17. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
18. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
19. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
20. The Town reserves the right to review any condition imposed as part of this Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and insure it does not become detrimental to the surrounding area.
21. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
22. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute

a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully,

Jeffrey C. Herrmann, AICP
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Wales-Genesee Fire Chief
William Brink
Paul Bialas

Approval is also subject to the revised plan submitted at the meeting and final plans submitted to the town Planner. If there are any major changes, the Planner can make the determination if it is necessary to return to Plan Commission for approval. Houston seconded the motion and motion carried unanimously.

Discussion/Action – Site Plan/Plan of Operation, Kettle Moraine Heating and Air Conditioning, W325 S1767 Mickle Road, Delafield, WI 53018. (Tax Key GNT 1457-999-002)

This is same building as Red Lion Pub and Mini Bowl. The building is approximately 15,000 square feet – 3,000 will be used for Pub and remaining for Kettle Moraine Heating. Herrmann addressed the parking for 10 trucks and 2 trailers. Brink responded they will be parked on the west side of building. Brink stated that management, sales and technicians take their vehicles home so they are not on site. Only 6 installation vehicles are in use right now. Brink anticipates adding 10 to 15 employees. Engelking made a motion to approve subject to Planner’s Report and Recommendation dated August 20, 2018.

**TOWN OF GENESEE PLAN COMMISSION
PLANNER’S REPORT & RECOMMENDATION
SITE PLAN/PLAN OF OPERATION**

NAME: Kettle Moraine Heating & Air Conditioning

DATE: August 20, 2018

TAX KEY NO.: GNT 1457.999.002

NAME OF PETITIONER: William Brink
d/b/a Kettle Moraine Heating & Air Conditioning
125 N Main Street
North Prairie, Wisconsin 53153

NAME OF OWNER: William Brink
3330 Bayview Court
Delafield, Wisconsin 53018

LOCATION OF PROPERTY:
Lots 2 and 3, Certified Survey Map No. 10868, being a part of the NE ¼ and NW ¼ of Section 5, Town of Genesee, containing approximately 4.06 acres.

ZONING CLASSIFICATION:

B-3 General Business District.

PRESENT LAND USE:

Vacant (formerly a Restaurant, Banquet Facilities, Outdoor Volleyball Court & Parking).

PROPOSED REQUEST:

Tom Saxe owned the property for over twenty (20) years and recently sold the property to William (Bill) Brink. The property is located on both sides of Mickle Road. The land on the west side of Mickle Road contains the existing restaurant/tavern with banquet facilities (formerly Bucky's West and 18 West Restaurant) and employee parking. The land on the east side of Mickle Road contains an outdoor volleyball court and additional customer parking. Over the years, the owner has made changes and/or applied for various improvements to the property as follows:

- 1989 13 ft x 60 ft. Atrium Addition.
- 1989 13 ft. x 37 ft. Deck Addition to the North side of Building.
- 1992 73 ft. x 125.5 ft. Banquet Hall Facility to the West side of the Restaurant.
- 1995 16 ft. x 40 ft. Storage Addition.
- 1997 22 ft. x 28 ft. Storage Addition – West Side of Building.
- 1999 Enclosed existing Outdoor Dining and Patio Area.
- 2001 15.5 ft. x 16 ft. Entry Addition.
- 2015 Interior Changes – No Permits.

There have also been several changes to the signage on the property with most recent digital sign being approved in 2011.

In 2015, the former owner (Tom Saxe) sold the business to John Biwer, but re-acquired the business. The new owner (William Brink) is proposing to take over a portion of the building for his heating and air conditioning business, while his brother-in-law (Paul Bialas) is proposing to take over the operation of the restaurant/tavern and volleyball courts.

According to the application, the new owner is proposing to utilize the old banquet area of the building to operate his heating and air conditioning business. The owner is proposing to use 75 percent of the overall building. Of that area, 60 percent will be used as a warehouse and 40 percent will be used as office space. The interior office area will be comprised of seven offices, reception area, restrooms, and a break room.

The days and hours of operation will be Monday – Friday from 7:00 a.m. to 5:30 p.m. and on Saturday from 7:00 a.m. to 11:30 a.m. There will also be 24 hour on-call emergency coverage. The business will employ sixty-five (65) full-time, twelve (12) part-time and ten (10) seasonal employees. According to the application, the petitioner is proposing to store up to ten (10) trucks and two (2) trailers (8 ft. x 16 ft.). There are 210 parking spaces on the site. The proposed business, including truck and trailer parking needs about 114 parking spaces. Therefore, the site contains adequate parking. The owner is also proposing to install a new 4 ft. x 5 ft. sign on a free-standing pole approximately 15 feet high. The property is currently served by a private waste disposal system and private well.

PLANNER'S RECOMMENDATION:

Based upon the above information, the Town Planner recommends the Town Plan Commission **approve** this request subject to the following conditions:

1. The business operation shall be limited to the operation of a heating and air conditioning business.

2. Absolutely no additional outdoor lighting shall be allowed, unless approved by the Town of Genesee Plan Commission.
3. The hours of operation shall be as proposed.
4. The existing LED sign shall not be animated by means of intermittent, scintillating, scrolling or traveling lights or any other device or means not providing constant illumination. The sign display/image may change no greater than every 10 seconds. The illumination setting of the sign shall be kept to acceptable level. Town of Genesee reserves the right to require the sign illumination be turned down for any reason or removed if said sign becomes a nuisance. No permanent banner signs shall be allowed and all temporary banner signs shall only be allowed for no more than two (2) weeks, subject to Town Planner approval prior to erecting any banner signs.
5. The Proposed 4 ft. x 5 ft. free-standing sign shall require a detailed sign rendering, sign size and location map being submitted to the Town Planner for review and approval prior to erecting any signs or changing an existing sign.
6. The Waukesha County Environmental Health Division shall inspect and approve the existing private waste disposal system for the existing uses on the property.
7. Documentation shall be submitted to the Town Planner that the Wales-Genesee Fire Department has inspected the proposed premises and all necessary fire codes are in compliance prior to the issuance of a use permit.
8. Subject to the Town Building Inspector inspecting the premises and all applicable building codes and permits have been applied for and complied with prior to the issuance of a use permit. All required State Approved Building Plans shall be submitted to the Town Planner and Town Building Inspector prior to the commencement of any construction activities.
9. Absolutely no outside storage shall be allowed, except for ten (10) trucks and two (2) trailers, unless specifically approved by the Town Plan Commission.
10. A Parking Plan shall be submitted to the Town Planner for review and approval, prior to the issuance of any permits. The Parking Plan shall include an area west of the building for the parking of trucks and trailers. Absolutely no overnight truck or trailer parking shall occur on the east side of the building.
11. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
12. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
13. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
14. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.

15. The Town reserves the right to review any condition imposed as part of this Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and insure it does not become detrimental to the surrounding area.
16. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
17. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully,

Jeffrey C. Herrmann, AICP
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Wales-Genesee Fire Chief
William Brink

Motion was seconded by Lightfoot. Motion was carried unanimously.

Discussion/Action – Site Plan/Plan of Operation, Generac Power Systems, S45 W29290 Highway 59, Waukesha, WI 53189, Interior Alterations (Phase 4E and Advanced Manufacturing). (Tax Key GNT 1532-996)

Josh Davison of Oliver Construction and Kirk Hinz of Generac represented Generac. Herrmann clarified that a revised Planner's Report was submitted to Plan Commission. Generac is doing interior remodeling adding more offices and advanced manufacturing area. Davison wanted to clarify employee counts in the updated report. Report states 754 first shift employees and it is 1,089 full time employees. Also, there are 995 parking spaces. Christiansen made a motion to approve subject to Planner's Report and Recommendation dated August 20, 2018 with the changes in number of first shift employees and parking spaces.

**TOWN OF GENESEE PLAN COMMISSION
PLANNER'S REPORT & RECOMMENDATION
SITE PLAN/PLAN OF OPERATION**

PROJECT NAME: Generac Power Systems, Inc.

DATE: August 20, 2018

TAX KEY NUMBER: GNT 1532.996
GNT 1532.999.001
GNT 1532.999

NAME OF APPLICANT: Joshua Davison
c/o Oliver Construction Co.
1770 Executive Drive
Oconomowoc, WI 53066

OWNER: Generac Power Systems, Inc.
S45 W29290 Hwy 59
Waukesha, WI 53189

LOCATION OF PROPERTY:
Part of the SE ¼ of Section 23, T6N, R18E, Town of Genesee, located on the northwest and northeast corners of Hillside Drive and S.T.H. 59, containing approximately 59.55 acres of land.

PRESENT ZONING (Town of Genesee):
M-1 Limited Industrial District.
B-2 Local Business District.

PRESENT LAND USE:
Manufacturing, Warehouse, Offices and Parking.

PLANNER'S ANALYSIS:
Generac's holding includes three (3) separate parcels. The parcel on the northwest corner of Hillside Drive and S.T.H. 59 consists of approximately 19.15 acres of land and contains the main manufacturing and office complex of approximately 196,020 square feet or about 4.5 acres. There are two (2) parcels located on the northeast corner of Hillside and S.T.H. 59. The smaller parcel is located on the corner of Hillside and S.T.H. 59. It is 3.1 acres in size and contains a large employee parking area. The last parcel is 37.3 acres in size and is currently vacant. Generac Power Systems, Inc. ("Generac") was founded in 1959 and has operated in the Town of Genesee for over 40 years. Generac is a large employer in the Town of Genesee, with other plants located in Jefferson and Walworth Counties. Generac operates in a building containing approximately 196,020 square feet or about 4.5 acres. They are proposing to complete Phase 4E, which consists of interior alterations, including a second-floor change of use from manufacturing to open office space. In addition, they are seeking approval for converting a large storage area to an advance manufacturing area and office space.

Over the last two (2) years, Generac has completed several phases of construction, including the following: Construction of New Entrance and Minor Interior Hallway Remodeling and Concrete Patio (Phase 4A), Convert Manufacturing Space to Office Space, Construct Sidewalk & Expand Parking on East side of Hillside Road – 2017 (Phase 4B), Construct New Auditorium on Second Floor for Generac Meetings/Uses and Possible Rental to Others – 2017-2018. (Phase 4C) and Convert Manufacturing Space to Office Space – 2018 (Phase 4D).

Phase 4E is the next phase of construction and will result in remodeling the existing manufacturing space (approximately 13,500 square feet) and converting it into office space. The office space will consist of numerous cubicles, conference rooms, remodeled restrooms, and a large open office space area. In addition, Generac would like to convert a large storage area (approximately 7,000 sq. ft.). into an advance manufacturing area and office space. In the last element of Phase 4B, 252 parking spaces were added to the existing parking area located on the east side of Hillside Road. This additional parking will accommodate the increased number of workers. In addition, if the parking did not meet the Town of Genesee Zoning Code, the Town Plan Commission may allow

deviations from the requirements of the parking section whenever it finds that the deviation will not adversely impact traffic circulation or public safety; however, the requirements are different under the Waukesha County Shoreland Zoning, which includes this portion of the building.

The hours of operation will be 24 hours a day, seven (7) days a week. However, they are currently running two (2) shifts per day with a total of 754 first shift employees and approximately 60 second shift employees. Those numbers are expected to increase to 955 employees upon the completion of Phase 4B and 1014 employees upon completion of Phase 4D. The site will contain 806 parking spaces and will be adequate for Phase 4E, however, additional parking spaces may be required with future phases. Generac has room and presented a future parking area to the east of the newly proposed parking area.

PLANNER'S RECOMMENDATION:

Based upon the above information, the Town Planner recommends the Town Plan Commission **approve** this request subject to the following conditions:

1. Documentation shall be submitted to the Town Planner that Waukesha County has approved the Site Plan and Plan of Operation for Phase 4E and the Advanced Manufacturing areas. Any and all conditions established by Waukesha County shall be adhered to.
2. Subject to all previously imposed conditions by the Town of Genesee and Waukesha County for Generac Power Systems, Inc. being complied with, unless specifically amended herein.
3. Documentation shall be submitted to the Town Planner, that the Environmental Health Division has reviewed the proposed request and indicate whether the existing Septic System is adequate for the proposed uses in Phase 4E, prior to the issuance of a Plan of Operation/Use Permit.
4. Subject to the Applicant satisfying all terms, conditions and requirements of the Town of Genesee Building Inspector, with regard to the building and the property, to ensure compliance with all applicable laws, codes, statutes, ordinances, rules and other lawful authorities, prior to the issuance of an occupancy permits. The Applicant shall allow the Town of Genesee Building Inspector access to the property and building for the purpose of conducting such inspections.
5. The Wales-Genesee Fire Chief shall inspect the premises to ensure all applicable fire codes are complied with. Any non-compliance issues shall be complied with in accordance with the recommendation of the Fire Chief (if applicable).
6. The Town reserves the right to review any condition imposed as part of this Plan of Operation, if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use, and to ensure that it does not become detrimental to the surrounding area.
7. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
8. An up to date Plan of Operation must be on file, at all times, with the Town of Genesee Plan Commission and Waukesha County.
9. Subject to the applicant allowing the premises to be available for inspection by the Town of Genesee

TAX KEY NUMBER: GNT 1521.972.003

PETITIONER: Wendy Schmidt
d/b/a These Hands to Heal, LLC
209 Llamberris Pass
Wales, WI 53183

OWNER: Crossing Community Church
c/o Jay Cavaiani
S42 W31230 Hwy 83
Genesee Depot, WI 53127

LOCATION OF PROPERTY: Part of the NE 1/4 of Section 21, T6N, R18E, Town of Genesee. More specifically, the property is located at S42 W31230 S.T.H. 83.

ZONING CLASSIFICATION: B-2 Local Business District.

PRESENT LAND USE: Currently the property contains various commercial establishments including a church. The existing building is home to the Church, Software Development Company and US Post Office.

REQUESTED USES:

The petitioner is proposing to utilize about 350 square feet of the existing building to operate a hand therapy and massage business. The operator specializes in arm, elbow, shoulder and hand therapy and sports massage. The interior of the space will include an office, lobby/reception area, A therapy room and a small kitchenette. The hours of operation will be seven days a week from 6:30 a.m. to 8:00 p.m. There will be one (1) full-time and one (1) part-time employees. The operator is proposing to install a 1 ft. x 3 ft. above the door on the building and a 2 ft. x 4 ft. sign on the free-standing multi-tenant sign in front of the building. A shared restroom is provided for all tenants

The petitioner will require four (4) parking spaces. No exterior changes are proposed. The property is served by a private holding tank and private well.

PLANNER'S RECOMMENDATION:

Based upon the above information the Town Planner recommends the Town of Genesee Plan Commission **approve** this request subject to the following conditions:

13. Documentation shall be submitted to the Town Planner that Waukesha County Park and Planning Commission has approved the Site Plan and Plan of Operation. Any and all conditions established by Waukesha County shall be incorporated herein.
14. Documentation shall be submitted to the Town Planner, that the Environmental Health Division has approved the existing on-site waste disposal system for the proposed use, prior to the issuance of any permits.
15. The Town of Genesee Building Inspector shall inspect the entire building to determine compliance with all applicable building codes. All compliance violations shall be corrected to the Building Inspector's satisfaction, prior to the issuance of a Plan of Operation/Use Permit.
16. The Wales/Genesee Fire Chief shall inspect the premises to ensure all applicable fire codes are complied with and that a Knox Box has been installed in conformance with the Town of Genesee Knox Box

Ordinance.

17. An up to date Plan of Operation must be on file, at all times, with the Town of Genesee plan Commission and Waukesha County (if applicable).
18. Documentation shall be submitted to the Town Planner that all required local, county, state and federal licenses and permits have been obtained.
19. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
20. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
21. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
22. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully Submitted,

Jeffrey C. Herrmann, AICP
Town Administrator/Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Waukesha County Department of Parks and Land Use
Chief James Moon
Wendy Schmidt
Jay Cavaiani

Motion was seconded by Christiansen and was carried unanimously.

Discussion/Action – Review Conditional Uses within the Town Zoning Code.

Herrmann stated that Plan Commission received a copy of the Conditional Uses. He requested Plan Commission review each in order to determine if they need to be changed or eliminated.

After discussion, the first 5 were left unchanged. Number 6 was determined to be permitted in B-3, eliminating B-1 and B-2 districts. Items 7 and 8 were left unchanged. Number 9 was taken out. Items 10, 11, 12, 13 and 14 remain the same. Number 15 was amended by removing A-1 and B-3 districts. Number 17 remained unchanged. Number 18 was removed. Number 19 remained unchanged. Number 20 was removed. Item 21

eliminated A-1 and A-5 districts. Numbers 23 and 24 remained unchanged. Number 25 was removed. Item 26 added B-3 district. Items 27 and 28 remain unchanged. Number 29 eliminated A-1 and A-5 districts. Item 30 and 31 remain unchanged. Item 32 is eliminated. Items 33 and 34 remain unchanged. Item 35 removed the working “shall be allowed”. Items 36, 37 and 38 remain unchanged. Item 39 was eliminated.

Herrmann stated Delafield is done with their ordinance. The ordinance isn't ready yet. Once it becomes available, it can be used as a template for Genesee.

Discussion – Waukesha County’s Site Plan/Plan of Operation Process Improvement Proposal.

Herrmann explained the proposal. Since some of the handout had been cutoff, it will be sent out in full for review. Engelking made motion to table this item until September meeting. Christiansen seconded the motion and it was carried unanimously.

Discussion/Action – Approval of July 23, 2018 Plan Commission Minutes.

Motion to approve was made by Christiansen and seconded by Houston. Engelking abstained. Motion carried with one abstention.

Review Pending

Herrmann wrote letter to Mr. Balderas and doesn't see Mr. Balderas accomplishing anything. The residence next to Buck placed tarp over trailer. The residence on Townline cleaned up everything. Bethesda Circle cleaned up their debris. Residence on Ridgeview needs more cleaning up. There is a trailer someone is living in on Hillside. Herrmann is writing letters regarding these issues.

Correspondence

None

Houston made motion to adjourn, Engelking seconded, motion carried unanimously. Meeting adjourned at 7:22 p.m.

Cindy Zignego
Plan Commission Secretary
September 17, 2018