



([/home](#))

April 4, 2024

[Return to Search Page](#)

04/11/2024 Plan Commission Meeting

Possible recommendation to the Village Board to repeal Section 40.122 of the Village Code regarding petitions in protest of proposed amendments to the Zoning Code; possible recommendation to amend Section 40.314 of the Code Permitted Uses in the B-5 district adding "Bicycle repair shop"; and discussion regarding regulations, guidelines, and approval process pertaining to freestanding ground signs in the B-2 Downtown Business District.

[Meeting Minutes \(?Type=M&ID=349\)](#)

[Documents \(?Type=D&ID=349\)](#)

[Video \(?Type=V&ID=349\)](#)

Plan Commission Meeting
April 11, 2024 – 6:00 pm Village Hall
235 Hickory Street, Pewaukee, WI 53072

<https://www.youtube.com/live/gNM7ARPsNAI?si=YuPsExcbLueSdvUZ> (<https://www.youtube.com/live/gNM7ARPsNAI?si=YuPsExcbLueSdvUZ>)

1. Call to Order and Roll Call, Pledge of Allegiance, & Moment of Silence

President Knutson called the meeting to order at approximately 6:00 p.m.

Plan Commission members present: Comm. Mark Grabowski; Comm. Theresa Hoff; Comm. Sam Liebert; Comm. Brian Belt; Comm. Katie Jelacic; Trustee Craig Roberts, and President Jeff Knutson.

Also present: Village Attorney, Matt Gralinski; Village Planner, Mary Censky, and Village Deputy Clerk, Jenna Peter.

President Knutson thanked Trustee Roberts for his time and effort on the Plan Commission and stated that he will be sadly missed.

2. Public Hearings – None.

3. Citizen comments – None.

4. Approval of the Minutes

a. Regular Plan Commission Meeting – March 14, 2024.

Comm. Hoff motioned/seconded by Comm. Belt to approve the March 14, 2024, Regular Plan Commission Meeting minutes.

Motion carried 7-0.

5. Old Business – None.

6. New Business

a. Review, Discussion and Possible Recommendation to Village Board on a Draft Ordinance to Repeal Section 40.122 of the Village Code regarding petitions in protest of proposed amendments to the Zoning Code.

This matter is Village initiated. Attorney Gralinski explained the state legislature recently enacted 2023 Wisconsin Act 16 which made a number of changes to local zoning law. One of these changes was the creation of the Wisconsin Statute Section 66.10015(3)(a), which effectively prohibits supermajority requirements for the approval of zoning enactments upon receipt of a protest petition. The previous 2017 Wisconsin Act 243 repealed a previous state statutory provision which required a ¾ vote by a governing body to approve a proposed zoning amendment when a protest petition was filed. Although that Act eliminated the state statutory protest petition, the League of Wisconsin Municipalities, as well as, Hippenmeyer, Reilly and Blum's office, opined that municipalities could still enact or maintain local ordinances establishing a protest petition process similar or identical to the one provided in previous state statute. With the enactment of 2023 Wisconsin Act 16 there is now a clear prohibition on supermajority voting requirements for zoning changes, as the section



led by Trustee Roberts to recommend to the Village Board approval to repeal the ordinance pertaining to petitions in protest of proposed amendments to the Zoning Code; being January 1, 2025 in accordance with state law.

able Recommendation to the Village Board on a Draft Ordinance to Amend Section 40.314 (Bicycle Repair Shop Uses in the B-5 District), adding the uses “Bicycle repair shop, excluding outside storage of materials, equipment, supplies, bikes, or bike parts.” and “Bicycle repair shop, including outside storage of materials, equipment, supplies, bikes, or bike parts provided the Planning Commission has first approved, through Site Plan approval, the plans for location and screening of such storage.”, as permitted uses in the B-5 Light Industrial Zoning District. The applicant in this matter is Eleazar Kelling.

Planner Censky explained the applicant is looking to do bicycle repair in the Village. When she researched this for the applicant, she could not find a zoning district that allows this specific use. The applicant would like to conduct this use in the B-5 Light Industrial District. As drafted, any outside storage or display of materials, equipment, supplies, bikes, or bike parts would require a Site Plan Approval or a Conditional Use Grant through the Plan Commission. The indoor repair of bicycles with no outside storage or display would not need Plan Commission approval.

Comm. Roberts motioned/seconded by Comm. Hoff to recommend to the Village Board to Amend Section 40.314 of Village Code as presented by the Planner.

Motion carried 7-0.

c. Review, Discussion, and Feedback to Village Staff regarding the regulations, guidelines, and approval process pertaining to freestanding ground signs in the B-2 Downtown Business District. This matter is Village initiated.

Censky stated there was a request to review the Village’s current regulations for freestanding (i.e. ground mounted monument or pole mounted) signs. She reviewed the applicable Code provisions and Downtown Design Guidelines with the Commission. Trustee Roberts explained the reason this is being brought to the Commission’s attention is because of a sign that was erected on Oakton Ave that has been getting negative comments. The sign was approved with the current sign code; however, it is a big, lighted sign that looks out of place in the area that it is in. The Commission members agreed that there was a common interest in changing certain parts of the Code. Censky will come back to the Plan Commission with a draft of options at the May meeting.

7. Citizen Comments – Eleazar Kelling @ 571 E Wisconsin Ave Apt #6 – Mr. Kelling thanked the Plan Commission and stated with Velocity Bike shop officially closed, he is simply trying to find a place for a repair shop and is not contemplating any retail sales or outside storage at this time.

8. Adjournment -

Trustee Roberts motioned/seconded by Comm. Belt to adjourn the April 11, 2024, Regular Plan Commission meeting at approximately 6:54 pm.

Motion carried 7-0.

Respectfully Submitted,

Jenna Peter

Deputy Clerk

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Sunday ([/home](#))

8 a.m. - 4:30 p.m.
8 a.m. - 4:30 p.m.
8 a.m. - 4:30 p.m.
8 a.m. - 4:30 p.m.
8 a.m. - 4:30 p.m.
Closed
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