

**PLAN COMMISSION
MEETING MINUTES
Monday, April 1st, 2019**

Meeting was called to order by Chair Pro Tem Mr. Michalski at 7:00p.m.

1. Roll Call.

Present: Mr. Michalski, Mr. Reineke, Mr. Cashin, Mr. Long, Mr. Kujawa

Absent: President Palmer, Mr. Jodie

Also Present: Thomas Harrigan, Zoning and Planning Administrator, David De Angelis, Village Manager, Christopher Koehnke, Assistant Village Attorney, and applicants.

2. Review and act on meeting minutes dated 3/3/18.

Mr. Kujawa motioned and Mr. Long seconded to approve the meeting minutes dated 3/4/19 as amended. Motion carried 5-0.

3. Review and act on a plan of operation pursuant to §335-85 for Kettle Range Meat Company, to be located 13416 Watertown Plank Rd Suit 103.

Mr. Mark Bearce, owner operator of Kettle Range Meats, was present before the Commission.

Mr. Bearce provided the Commission with a background summary of Kettle Range Meat Company, which currently has an operation open in Milwaukee. The business is owned by Mr. Bearce and several ranchers who own farms in Wisconsin. The intention is to continue processing (butchering) the animals at the Milwaukee location, and to utilize the Elm Grove location as a satellite retail store.

Mr. Michalski asked if Mr. Bearce intends on smoking any products at the Elm Grove location.

Mr. Bearce stated there will be no smoking of meat products taking place at the Elm Grove location.

Mr. Cashin motioned and Mr. Kujawa seconded to approve the Plan of Operation for Kettle Range Meats. Motion carried 5-0.

4. Review and act on a request for a plan of operation for Wise Choice Child Care LLC pursuant to §335-85 and a conditional use permit pursuant to §335-86 for a professional home office/child care facility pursuant to §335-17C(4) located in the Rs-1 Single-family residential district at 12400 Laurel Lane.

Cherrie Bratchett, owner operator of Wise Choice Childcare, was present before the Commission.

Ms. Bratchett provided a summary background of Wise Choice Childcare. She stated the business has been in operation since 2014.

Mr. Michalski asked if Ms. Bratchett intends on moving to the residence at 12400 Laurel Lane. Ms. Bratchett confirmed she would be a resident of the property.

Mr. Harrigan provided the Commission an explanation as to why the proposed daycare use within the residential zoning district would require a Conditional Use Permit. Within the Rs-1 single family zoning district, the only permitted use is single family residential homes. The Rs-1 zoning district does allow for Professional Home Offices and In Home Occupations as Conditional Uses, which would require the issuance of a Conditional Use Permit. The challenge with this Professional Home Office Conditional Use Permit application is that by definition, Professional Home Offices do not have any nonresident employees. Also, the definition of Home Occupations stated that Home Occupations do not result in the coming and going of persons and/or vehicles. Therefore neither of these two Conditional Uses would be exactly compatible for the proposed in home day care. Village staff is requesting the Plan Commission to make a determination as to whether either of these two Conditional Uses would be appropriate for the proposed in home day care.

Mr. Koehnke agreed that the proposed use of the in home day care does not fit neatly under any category within the Rs-1 single family residential district. Therefore the Plan Commission's review of the Conditional Use Permit application is based on a policy decision.

Mr. De Angelis stated that even if the Plan Commission decides to make a positive recommendation for approval of Conditional Use Permit Application to the Board of Trustees, there is no guarantee the Board of Trustees will approve the Conditional Use Permit.

Ms. Bratchett commented that there would be a total of 8 children at the residence per shift with a total of two shifts during each working day.

Mr. Michalski stated that he has less issue with there being 4 children at the in home day care than with the alternative of 8 children at any one time. Also, that fact that the proposed use does not fit neatly into the Rs-1 zoning ordinance is a concern.

Mr. Cashin noted the residence is in a unique location, on 124th street which is considered a perimeter road. The home is not located within the core of a residential neighborhood.

Ms. Bratchett commented that she does have the ability to do all the pick-up and drop off for the day care participants.

Mr. De Angelis stated the Commission could choose to make the pic-up and drop off a condition of the operation and permit approval.

Mr. Kujawa added that he envisions the day care having a "typical day" of operation where there would be the scheduled pick-up and drop off, however there may be occasions where a child is picked up by a family member for an unforeseen circumstance.

Mr. De Angelis emphasized that the Commission cannot strike any of the principal language from the Professional Home Office definition within the ordinance. If the Conditional Use Permit is to move forward, Ms. Bratchett would need to comply with the requirements within the definition of a Professional Home Office.

Mr. Kujawa motioned and Mr. Cashin seconded to recommend approval of the Professional Home Office Conditional Use Permit application because the proposed in home child care use would,

1. Be located on a corner lot located on a perimeter street within the Village.
2. There is adequate area on the exterior of the property for a fence as required by the Wisconsin Law for in home child care facilities.
3. There would be no non-resident employees.
4. There would be a set normal day of operational activities that would be part of the Professional Home Office.

5. The total number of children attending the in home day care would not exceed 8 children at any given time.

Motion carried 5-0.

5. Review and act on a request to amend a Plan of Operation for Zisters Restaurant pursuant to §335-85.

Dan Zierath, owner operator of Zisters Restaurant, was present before the Commission.

Mr. Zierath stated that he wished to have a 180” projection screen located on the southern portion of the outside patio area for the spring and summer months. He intends to broadcast sporting events and movies on the screen.

Mr. Long asked if there will be sound.

Mr. Zierath confirmed there will be sound.

Mr. De Angelis asked Mr. Zierath if he has obtained the proper licensing in order to play movies and sporting events for the public.

Mr. Zierath stated he will need to consult his attorney regarding that specific question.

Mr. Long motioned and Mr. Kujawa seconded to approve the proposed amendment to the existing Plan of Operation. Motion carried 5-0.

6. Other Business

None.

7. Adjournment

Mr. Long motioned and Mr. Reineke seconded to adjourn the meeting. Motion carried 5-0.

Meeting adjourned at 7:52 P.M.

Respectfully Submitted,

Thomas Harrigan
Zoning and Planning Administrator/
Assistant to the Village Manager