

**TOWN OF GENESEE PLAN COMMISSION MEETING
MINUTES
SEPTEMBER 27, 2021**

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

Present were: Town Chairman Sharon Leair and Supervisor Jeff Schmittinger. Also present were Plan Commission Members Bob Christiansen, Brett Engelking, Jeff Lightfoot, Mike Toole and Joe Turzynski. Also present were Planner Jeff Herrmann and Deputy Clerk Cindy Zignego.

Discussion/Action – Accessory Building exceeding 1,600 square feet for Dan Koehler, W307 S4689 State Road 83, Mukwonago, WI 53149. (Tax Key GNT 1524-972-001)

Herrmann stated Koehler wants to build a 4,000 square foot accessory building to be used as a workshop. There is a Deed Restriction with conditions that structure shall be used for personal storage and absolutely no business permitted. There shall be no kitchen facilities or overnight human habitation allowed in the accessory structure. Koehler said he is going to use it to mainly work on his cars. Koehler was given the Deed Restriction document and instructed it needs to be filed with Waukesha County and brought back to the Town with proof of recording document and being signed and notarized.

Engelking made a motion to approve the request subject to the conditions on Deed Restriction. Schmittinger seconded the motion. Motion carried unanimously.

Discussion/Action – Accessory Building exceeding 1,600 square feet for Jeff Rubinger, W335 S4306 Oaklawn Dr., Dousman, WI 53118. (Tax Key GNT 1514-977)

Herrmann showed Plan Commissioners picture of part of the Rubinger garage that needs to be taken down. Rubinger will be building a new 36 ft. by 54 ft. pole building for his personal use. Rubinger wants to use it to work on his cars. Rubinger was given the Deed Restriction document and instructed to file it with Waukesha County and returned to the Town with proof of recording document and should be signed and notarized. Herrmann stated the conditions are that the structure not be used for business or commercial use and only for personal use and storage. Rubinger will need a Razing Permit to take down part of garage.

Engelking made a motion to approve the request subject to the conditions on Deed Restriction. Christiansen seconded the motion. Motion carried unanimously.

Discussion/Action – Number of Accessory Buildings for Jeff Rubinger, W335 S4306 Oaklawn Dr., Dousman, WI 53118. (Tax Key GNT 1514-977)

Engelking made a motion to approve the request on the number of accessory buildings equaling three buildings. Christiansen seconded the motion. Motion carried unanimously.

Discussion/Action – Amendment to Site Plan/Plan of Operation for All One Storage, S47 W30760 Hwy. 59, North Prairie, WI 53153. (Tax Key GNT 1546-966)

Beth Raush stated the building has to be moved to new location because of the mound system. There will be 8 parking spaces lost. Ralph Raush was called and stated the building will be 45 ft. from the center of the mound. Waiting for Waukesha County to come and look at proposed new location. Herrmann said Town will need a grading plan because part of the hill will be taken out. Herrmann and Engelking said new location is better than other location.

Engelking made a motion to approve the request subject to the conditions in Herrmann's report dated September 20, 2021. Schmittinger seconded the motion. Motion carried unanimously.

TOWN OF GENESEE PLANNING COMMISSION
PLANNER'S REPORT & RECOMMENDATION
SITE PLAN/PLAN OF OPERATION (AMENDMENT)

PROJECT NAME: All One Self Storage, LLC

DATE: September 20, 2021

TAX KEY NUMBER: GNT 1546.966

NAME OF PETITIONER: Ralph Raush
d/b/a All One Storage
W295 S5458 Holiday Oak Drive
Waukesha, WI 53189

NAME OF OWNER: Ralph Raush
d/b/a All One Storage Genesee, LLC
100 Wilmont Drive
Waukesha, WI 53189

LOCATION OF PROPERTY:
Part of Lot 2 of CSM No. 7207 and Outlot of CSM 7207, being a part of the NW ¼ of Section 27, T6N, R18E, Town of Genesee. More specifically, the property is located on the northeast corner of Commercial Drive and S.T.H. 59 and contains approximately 4.36 acres of land.

PRESENT ZONING:
B-3 General Business District.

PRESENT LAND USE:
Multi-Tenant Commercial Building, RV and Mini Storage, and Outside Storage.

PLANNER'S ANALYSIS:
The property is approximately 4.36 acres in size and contains a 121.9' x 200.6' multi-tenant building, a 60 ft. x 190 ft. RV storage building and a large outdoor storage area. Over the last several years, the Town of Genesee Plan Commission approved the requests for Ralph Raush, d/b/a All One Self Storage, LLC, 100 Wilmont Drive, Waukesha, Wisconsin to operate an indoor climate- controlled storage business on the property. Over the past several years, the Town Plan Commission has reviewed and approved outside storage, a plumbing business, fitness center and dog rescue business.

Recently, the owner proposed the construction of a new 36 ft. x 104 ft. (3,744 sq. ft.) personal storage building. The units were to be 10 ft. x 36 ft. The building was to be located 50 feet from the right of way of STH 59 and Commercial Drive. All access to the units would have been from the north side. Unfortunately, that building will not fit in that location and meet all zoning requirements.

The Owner is now proposing to construct a 36 ft. x 104 ft. personal storage building. The proposed building will be a two-toned steel panel building with a metal roof. It will contain ten (10) units, each unit will have its own 9 ft. x 12 ft. overhead garage door. The storage units will be accessible 24 hours a day, seven days a week. There are no employees proposed. There are no proposed changes to the signage on the property. According to the application, there are changes to the existing lighting. The petitioner was proposing to install bronze colored LED wall pack lights with 3370 lumens with the previous building, no light plan was provided with the application. Therefore, the exact number of lights and location of the lights were not shown on the site plan.

The location of the new building will eliminate approximately sixteen (16) parking spaces, leaving only 48 parking spaces on site for the businesses inside the building. The current uses use approximately 33 spaces, leaving 15 spaces for other future uses within the building.

A private on-site waste disposal system and private well serve the property.

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. All previously imposed conditions on the property under Ralph Raush's ownership shall remain in place and be adhered to, unless specifically amended herein. This includes the outside storage, RV Storage, Hoover Hause, the Fitness Business, and Erspamer Plumbing.
2. The Lake Country Fire and Rescue Fire Chief shall review the proposed plans and access around the building with Fire Apparatus. In addition, The 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 prior to occupancy of the building.
3. A copy of State Approved Plans for the new building shall be submitted to the Town Planner and Town Building Inspector prior to the issuance of any Building Permits. 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 an Occupancy Permit.
4. Absolutely no outside storage shall take place outside the fenced in storage area, unless specifically approved by the Town Plan Commission.
5. Documentation shall be submitted to the Town Planner, that the Environmental Health Division has approved a preliminary site evaluation for the existing/proposed uses on the property, prior to the issuance of any permits.
6. Documentation shall be submitted to the Town Planner that the Land Resources Division of Waukesha County has approved and permitted all Stormwater Management and Erosion Control Permits for the proposed building and outside storage.
7. A detailed Grading and Landscaping Plan shall be submitted to the Town Planner showing how the exterior of the premises will be graded and landscaped. The Grading Plan shall show existing and proposed grades. **No grading activities may take place within the Septic System Easement (Doc No. 1582632).** The Landscaping Plan shall show the species, height, and location of each proposed planting. The Landscaping Plan shall include plantings along the back side (facing STH 59) of the building to help screen said building from STH 59.

8. The owner shall apply for and receive all proper Zoning and Building Permits. The building shall comply with all requirements of the Town of Genesee Zoning Code. **An updated Plat of survey shall be provided to verify the location of the building meets the Zoning Code. In addition, a re-certification of the building pad shall be required prior to the erection of the building.** Said building shall not be located within the Ingress and Egress easement recorded as Document No. 1895422 or the Septic System Easement (Doc No. 1582632).
9. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
10. An up-to-date Plan of Operation must be on file, at all times, with the Town of Genesee Plan Commission and Waukesha County.
11. Subject to the applicant allowing the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
12. Subject to the owner submitting a letter to the Town Planner acknowledging and accepting all terms and conditions of the Site Plan/Plan of Operation approval.
13. Subject to all activities on the subject property herein may not in anyway become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
14. 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.
15. 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.
16. 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
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Waukesha County Land Resources Division
Ralph Raush
Lake Country Fire and Rescue Fire Chief

Discussion – Proposed Amendments to Town of Genesee Zoning Code.

Plan Commissioners were given a hard copy of the Conditional Use segment of the Genesee Zoning Code. Herrmann made changes and it is in rough draft form. Herrmann requested feedback from the Commissioners regarding changes they would like to make to it. He discussed possibly adding to the substantial evidence. There was discussion and suggestions about changes. Herrmann wants the Commissioners comments by October 8, 2021. He will then review with the Town Attorney. Herrmann will put changes together and bring back to the Commissioners for final review. Then a joint public hearing with the Town Board and Plan Commission will be scheduled to approve it. It will then go to Waukesha County.

Discussion/Action – Approval of August 11, 2021 and August 23, 2021 Plan Commission Minutes.

Engelking made a motion to approve the August 11, 2021 Minutes. Christiansen seconded the motion. Motion carried unanimously.

Engelking made a motion to approve the August 23, 2021 Minutes. Christiansen seconded the motion. Motion carried unanimously.

Review Pending

Herrmann went out to Homestead Court to listen for dogs barking from Hoover's Hause. He talked to some neighbors who did not think barking was a problem. Herrmann stopped at Hoover's Hause and they said they let the dogs out around 8:00 a.m. and 4:00 p.m. or 5:00 p.m. Herrmann will go back again and listen for dogs barking. Herrmann talked to Stephanie Seitz and she said Herrmann can come listen any time. Herrmann will continue to monitor and take notes.

Correspondence

None.

Adjourn

Schmittinger made a motion to adjourn. Engelking seconded the motion. Motion carried unanimously. Meeting adjourned at 6:40 p.m.

Cindy Zignego
Deputy Clerk
September 30, 2021