

**Minutes of the Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, December 12, 2019
Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:30 P.M.

Roll Call: Present: Chairman Joseph Osterman, Supervisor Plotecher, Plan Commission Members Ed Nelson, Chad Samanske, Mark Meyer, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Engineer Mitch Leisses, Attorney Michael Van Kleunen and Administrator Gina Gresch.

Comments from citizens present pertaining to items on the agenda. None.

Discussion and necessary action on November 14, 2019 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Meyer to approve the November 14, 2019 Plan Commission minutes. Seconded by Commissioner Nelson. Motion carried, 7-0.

New Business

Discussion and necessary action on the request from Briohn Design Group & Briohn Building Corp on behalf of Wikoff Color Corporation for the property located on the western portion of N63W22039 County Road "F", LSBT 0241.999, for a Site Plan/Plan of Operation to construct a commercial building on the Industrial portion of the Lied's property.

Planner Lindstrom reviewed the proposed building and gave an introduction. This is the proposal of Wikoff Color Corporation who is working with Briohn Design Group for a 40,000 square foot production facility. The facility will be located on the southwest corner of Main Street and a new proposed street that is unconstructed and unnamed at this point. The site is owned by the Town of Lisbon and comprises approximately 6.7 acres of the former Lied' Nursery property. The site includes:

- A 40,000 square foot, single-story building with a potential 20,000 square-foot expansion area
- which would bring the facility up to 60,000 square feet total;
- 94 parking stalls (including four (4) ADA accessible stalls);
- Loading and access drives for large trucks;
- Outdoor storage of five 13,000-gallon tanks (to the south of the building) and possible detached storage shed (location unknown at this time);
- Sanitary sewer and municipal water service connections;
- Proposed monument sign location and conceptual design.

Wikoff Color Corporation anticipates 34 full-time employees at the site, with operations running Monday to Friday from 6:00 am to 6:00 pm. The Plan of Operation notes the potential for occasional noise and odor beyond the walls of the building.

The use, removal, and/or distribution of the waste soil on the site shall be worked out between the Town and the applicant separate from this application. The Planner went through the review standards from a Site Plan and Plan of Operation standpoint which are below:

1. A stakeout survey or plat of survey should be provided showing property dimensions, location of abutting platted road centerlines, and other features per Sec. 3(b)2.B. of the Zoning Ordinance. The final Site Plan should contain dimensions for all property lines and adjacent street ROW. The Town Engineer is currently preparing this CSM any approval shall be subject to the receiving CSM approval.
2. The landscape Plan sheets should clearly label surfaces for parking and loading areas or state the surface of hardscaped areas are listed within the civil and site plan drawings.

3. The landscape plan should include a timetable for completion.
4. Site plans should indicate the location for trash/recycling receptacles if they will be located outdoors. If outdoors, receptacles must be screened with a gated enclosure that blends with the building exterior – this might include fencing, retaining walls, landscaping, building walls, or a combination of these (per Design Standards Sec. 4.1(D) and 4.2(C)). If they are not listed or shown, it is assumed trash/recycling receptacles are internal to the building. We assume these to be located internal to the building and adjacent to the 12'x14' overhead door shown on Sheet C1.0.
5. Any future expansion shall be required to submit an amendment to the SPPOO to ensure the site expansion is in compliance with the zoning code and the design standards.

The Planner also reviewed the Zoning Code General Provisions:

1. The Town Zoning ordinance requires 600 parking stalls based on 40,000 square feet of floor area currently proposed (900 stalls based on 60,000 future footprints). The applicant will need to request a variance from the parking requirements based on the proposed site plan.

Staff Note: this ordinance standard is archaic and lumps commercial and industrial users together and is not representative of the actual space needed for industrial and manufacturing uses. The Town may want to consider amending this ordinance provision in the future.
2. The parking information on site plan sheets should be updated to reflect the 94 proposed stalls. These are adequate to supply parking for their employees and customers.
3. The site plan provides more than the minimum four (4) loading spaces that are required by ordinance based on floor area.
4. As proposed, the landscape berms exceed the standards in Sec. 3(c)5.E of zoning code. The height of the berms would trigger the public hearing and Plan Commission approval because of the 3-feet-above-existing-topography threshold. The berms appear to meet the other standards and staff believes the proposed berms look appropriate and have ample variety but would need the additional hearing to comply with the ordinance. Plan Commission shall discuss with the applicant either retaining the berm height and scheduling a public hearing or the impact of reducing the berm height to the 3-feet-above-existing-topography threshold.
5. It is assumed the stormwater will drain to the exterior of the property (as shown in the plan) where it will be picked up by structured stormwater features and directed to a regional facility to be designed by the Town Engineer.
6. The site shall comply with the vision setback (vision corner) required in Sec. 3(g)1.B. Staff does not anticipate any issues with the building or parking placement, but the landscaping plan should be reviewed for conformance with the vision setback requirements.
7. The Applicant should confirm the proposed location of the "possible separate storage shed" indicated in the Plan of Operation. If the storage shed will have a side facing a rear or side lot line that is longer than 50 feet, the shed will be subject to offset requirements per Sec 3(g)1.K.2.A.x and 3(i)5.Y of Zoning Code – the offset is increased one foot for every foot the side of the building exceeds 50 feet in length.
8. Site plan sheets should modify the south offset lines and labels to indicate a minimum 10-foot pavement offset (per Sec. 3(j)6 of Zoning Code, even though Design Standards Sec. 3(A) requires 5 feet). The rear line does indicate the required 10' offset.

9. Lighting appears to comply with Town Code requirements that fixtures be hooded or beamed to eliminate glare, and pole lights comply with the maximum height of 18 feet (15 feet is proposed). However, to minimize the potential for glare visible from streets, the Plan Commission shall determine if the on-building lights should also be mounted at a maximum height of 18 feet (versus the 24 feet proposed). We recognize that this may result in changes to the light spread which may necessitate additional fixtures.
10. The proposed monument sign location appears to comply with minimum 20' required from base setback line and lot lines, and a conceptual signage plan appears to be within the maximum 20' height limit. Signage details are to be handled at a later date with an application for a sign permit.

Commissioner Nelson asked where their tanks would be located. Joe Jursenas explained that all tanks will be above ground. Commissioner Nelson also asked if the canopy can come further out off the main structure. Chairman Osterman explained that the berm height may require a public hearing. Planner Lindstrom explained that the major grading for the berm may fit the timeline for their submittal of a CSM. Mr. Jursenas stated he was not sure why the berms were that tall and may be able to reduce the size to avoid a public hearing.

Commissioner Meyer questioned how close the tanks were to the school and if there was going to be an explosion relief wall. Chairman Osterman explained that has been a point of discussion to keep the tanks as far away from the school as possible. Planner Lindstrom stated they met with the Fire Department and they were satisfied with the containment location.

Commissioner Stadler agreed with the other Commissioners and also thought the number of parking stalls and the berm height was acceptable. She questioned why the building height was 24 feet and not 18 feet. Planner Lindstrom explained that it was up to the Plan Commission to allow for that. Planner Rachel explained that the pole lighting meets the standards of the zoning code. Commissioner Stadler also agreed with extending the sidewalks and was okay with everything else as long as the Fire Department was involved.

Commissioner Plotecher stated she was good with the parking stalls and would also like the extended sidewalk. She stated that her main concern was the proximity to the high school but those concerns have been addressed.

Commissioner Oelhafen stated he was okay with lowering the berm and reducing the number of parking spots. He stated as long as the Fire Department was okay with the tanks he was okay with it. Chairman Osterman added that the building is very impressive, and he has no issues with the light or parking. Commissioner Samanske added he would like to see an easement for the sidewalk extended without necessarily extending the sidewalk.

Mr. Jursenas added the shed size hasn't been determined yet and will be used to store volatile materials to keep it away from the employees. Commissioner Meyer questioned the odors of the chemicals which Wikoff explained they will control internally. They stated the chemicals were solvent based and does have some odor, none of which are noxious or toxic. Planner Lindstrom explained he conducted his review based on the assumption of this property being zoned M-2 and Waukesha County is still working on the zoning changes and will be subject to Waukesha County approving the zoning change.

Motion by Commissioner Nelson to approve the request from Briohn Design Group & Briohn Building Corp on behalf of Wikoff Color Corporation for the property located on the western portion of N63W22039 County

Road "F", LSBT 0241.999, for a Site Plan/Plan of Operation to construct a commercial building on the Industrial portion of the Lied's property subject to the following conditions:

1. *The Applicant shall comply with all site plans and operational aspects included in the previously approved submitted materials. The Site Plan shall be on file at the Town of Lisbon.*
2. *The Town of Lisbon retains the right to annually review the business operation for compliance with approved plans.*
3. *Review and approval of a CSM that is in substantial conformity with the boundaries describe herein. Should the CSM contain boundary lines that are not in substantial conformity, as determined by the Town Planner, a revised Site Plan and Plan of Operation shall be submitted to the Town for review and approval. Minor edits to the Site Plan resulting from the CSM may be approved administratively by Town staff. Include any other utility easements.*
4. *The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Non-objection from the Fire Department and correction of any deficiencies prior to issuance of occupancy permits.*
5. *The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Non-objection from the Building Inspector and correction of any deficiencies prior to issuance of occupancy permits.*
6. *The Town Engineer review the site plans to ensure the site is in compliance with the respective Town codes. Non-objection from the Town Engineer and correction of any deficiencies prior to issuance of Site Plan and Plan of Operation approval.*
7. *There shall be no outdoor storage of materials unless otherwise noted on approved site plans.*
8. *There shall be no trash or recycling stored outside of the building, except within a fully screened on-site dumpster/waste container, which must be shown on the final Site Plan.*
9. *Show the location of the proposed storage shed on the site plan, if applicable.*
10. *All accessory buildings must be constructed such that the exterior appearance is compatible with the design, style, architecture, and appearance of the principal structure, as determined by the Town Building Inspector (Sec. 3(i)5.P).*
11. *Modify offset lines and labels on plan sheets to indicate a minimum 10-foot pavement offset.*
12. *Show snow storage areas on-site and landscaping plans.*
13. *Provide plans for ongoing maintenance of landscaping, including mowing and weed management on landscaped berms.*
14. *The final site plan shall include sidewalks of a minimum five feet wide and run the length of the building adjacent to the parking areas and where sidewalk is flush to the asphalt, bump stops be included to protect pedestrians.*
15. *Add secure parking for at least four to eight bicycles near the main building entrance.*
16. *Soil tests shall be done, and provided to the Town, to confirm the soils are buildable.*
17. *The Waukesha County Environmental Health Division may review and approve of the uses on the subject property, prior to the issuance of any permits.*
18. *Any business signage shall be required to obtain signage approval through the Town of Lisbon sign application process.*
19. *An up-to-date Site Plan and Plan of Operation must be on file at all times with the Town of Lisbon.*
20. *The approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Site Plan/Plan of Operation permit with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted shall be considered to be prohibited, except as may be otherwise specified herein.*
21. *The Town reserves the right to review any condition imposed as part of this Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, through the Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area. Any major change, as determined by the Town Plan*

Commission may require modification to the Site Plan and Plan of Operation Permits or termination of the use.

22. *Town Engineer and Waukesha County approval of the final Stormwater Management Agreement.*
23. *Subject to Waukesha County approving the proposed zoning change.*
24. *Subject to the Town's berming standards.*
25. *Contingent upon working out the details of the fire suppression pond.*

Seconded by Commissioner Samanske. Motion carried, 7-0.

Town Planner Report

Planner Lindstrom reported on Kwik Trip coming in for a planner appointment for the Wexford Heights location. They are planning to submit new plans for early next year. There will be no car wash, just a regular gas station with a slight modification to their last site plan submittal. He also updated the Commissioners on a planner appointment held earlier that day regarding a home being built in the upland corridor. The applicant will work with the building inspector on this. Jon Then will also be back to amend hit site plan for outdoor storage.

Planner Lindstrom announced he will be leaving Vierbicher. He brought additional staff, Rachel and Josh who will be working with the Town. Rachel used to work for JSD and has Lied's property knowledge. Josh will be working on reviews in the background. Josh has been working on the impact fee analysis and sign code updated. Dan will be working part time through mid-January to help transition staff and will be at the January Plan Commission meeting. Planner Lindstrom thanked the Plan Commission for their time and said they were great to work with. Chairman Osterman stated it was the best move the Town has made hiring him and Vierbicher. Planner Lindstrom stated they are still working out details on who will take the lead and they are looking at doing JPC meetings digitally, utilizing teleconferencing to save time and money.

Requests from members to put future items on the agenda.

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, December 12, 2019 Plan Commission Meeting at 7:25 P.M. Seconded by Commissioner Meyer. Motion carried, 5-0.

Respectfully submitted,

Gina Gresch, MMC/WCPC
Town of Lisbon Administrator