

# VILLAGE OF ELM GROVE

13600 Juneau Boulevard  
Elm Grove, WI 53122

PLAN COMMISSION MEETING  
Monday, May 2, 2016 \* 7:00 PM \* Court Room

## AGENDA

### 1. Roll Call

Documents: [memo 050216.pdf](#)

### 2. Review and act on meeting minutes dated April 4, 2016

Documents: [pc040416dm.pdf](#)

### 3. Review and possible action a request for a plan of operation for Long Life in Healthy Body Center, LLC pursuant to §335-85 for a professional office in the B-2 Office Business District located at 910 Elm Grove Road.

Documents: [910 elm grove road, long life in healthy body center llc.pdf](#)

### 4. Review and possible action on Conditional Use Permit application from Tina Provan - Areola at 910 Elm Grove Road in B-2 Local Business District

Documents: [cup - tina provan 050216.pdf](#), [cup areola llc.pdf](#)

### 5. Other Business

### 6. Adjournment.

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Mary S. Stredni, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.



# Memo

To: Plan Commission  
From: Casey Griffiths, Zoning and Planning Administrator/Assistant to the Village Manager  
Date: April 22, 2016  
Re: Review of May 2, 2016 Agenda

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**Item 3. Review and possible action a request for a plan of operation for Long Life in Healthy Body Center, LLC pursuant to §335-85 for a professional office in the B-2 Office Business District located at 910 Elm Grove Road.**

The applicants are requesting approval of a plan of operation for a wellness office. The proposed business will provide clients with nutritional suggestions, energy therapies, light therapy, magnet therapy, and sound therapy. Proposed hours are 10 am to 6 pm. Total employees will be two. Number of customers will average three with a daily peak of five. Please see the enclosed plan of operation.

**DISCLAIMER- THE FOLLOWING ARE DRAFT MINUTES FROM  
THE PLAN COMMISSION AND ARE SUBJECT TO CHANGE UPON  
APPROVAL OF THE PLAN COMMISSION**

**PLAN COMMISSION  
MEETING MINUTES  
Monday, April 4, 2016**

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Meeting was called to order at 7:00 p.m. by Mr. Nelson

**1. Roll Call.**

Present: Mr. Cashin, Mr. Higgins, Ms. Hunter, Mr. Kujawa, and Mr. Nelson.

Absent: Mr. Palmer and Mr. Long

Also Present: Mr. De Angelis, Mr. Griffiths, Attorney de La Mora and applicants

**2. Review and act on Plan Commission regular meeting minutes dated March 7, 2016**

Mr. Kujawa noted an addition to his comment in the minutes, stating his recusal due to his business relationship with both R& R Investments and Wangard Partners.

Ms. Hunter motioned and Mr. Kujawa seconded to approve the meeting minutes as amended.

Motion carried 5-0.

**3. Review and act on a request for a plan of operation for Sun West Mortgage Company, Inc. pursuant to §335-85 for a mortgage brokerage located in the B-3 Mid-Rise Office and Professional District located at 13000 Bluemound Road.**

Mr. Higgins motioned and Mr. Cashin seconded to approve the plan of operation as submitted.

Motion carried 5-0.

**4. Review and possible action on a request for a plan of operation for Areola, LLC pursuant to §335-85 for a tattoo business located in the B-2 Office Business District located at 910 Elm Grove Road.**

Tina Provan, owner of Areola, LLC was present before the Plan Commission. Ms. Provan stated that she is a registered nurse, and would like to open her business in a space in the Elm Grove Salon and Spa. The tattoo business would be for women who have had breast reconstruction surgery after breast cancer, through tattoo coloring. Ms. Provan stated that she would have customers by appointment and that she does have a tattoo license through the state. Currently she does tattooing at the Medical College.

Ms. Hunter asked how many times an individual would need to see her after receiving a tattoo. Mr. Provan stated that typically only one appointment is needed, but there are occasions where a follow up appointment may be necessary.

Mr. Nelson noted that staff had discussed the possibility to having the business apply for a conditional use permit. Mr. De Angelis stated that the type of business is not permitted by right, and that the Plan Commission can make the determination that a conditional use permit is needed, which allows the conditional use permit to be tied specifically to this type of use.

Attorney de la Mora asked if the procedure is covered by insurance. Ms. Provan stated that it can be covered by insurance. Mr. De Angelis asked for clarification that the procedure is a personal choice and not medically necessary. Ms. Provan stated that an individual does not need to medical have the tattoo.

Attorney de la Mora asked what area would be used within the spa. Ms. Provan stated that within the spa there are partially walled rooms, with curtains for privacy that are used for spa treatments. One of those areas would be utilized for her business.

Mr. Higgins noted that the application should be amended to be Elm Grove Road not drive. He also recommend that the applicant change the hours of operation to allow for more potential flexibility in when she would be open.

Mr. Griffiths and Mr. De Angelis noted that the applicant will need to submit a request for a conditional use permit, so the plan of operation application can be resubmitted with the requested and recommended changes.

Mr. Kujawa motioned and Ms. Hunter seconded to recommend that Areola, LLC resubmit a conditional use permit application and revised plan of operation as the proposed use is currently unspecified in the B-2 Zoning District and has been found to be similar in character to other uses conditionally permitted. Motion carried 5-0.

#### **5. Other Business**

Mr. Griffiths provided a brief update on the Reinders Neighborhood meeting which was held on Tuesday, March 29<sup>th</sup>.

#### **6. Adjournment**

Mr. Kujawa motioned and Ms. Hunter seconded to adjourn the meeting. Motion carried 5-0.

Meeting adjourned at 7:12 p.m.

Respectfully Submitted,

Casey Griffiths  
Zoning & Planning Administrator/  
Assistant to the Village Manager

**VILLAGE OF ELM GROVE**  
**Application for Plan of Operation and**  
**Change in Use/Amendment to Existing Operation**

*\*\*This document is a matter of public record and may be reviewed upon request\*\**

**Business Contact Information**

Property Information	Business/Tenant Information
Property Tax Key #:	Business Name: Long Life in Healthy Body Center LLC.
Property Address: 910 Elm Grove Rd, Suite 16B Elm Grove, WI 53122	Business Owner: William A. Vargas-Manzo
Property Owner and Mailing Address (City/State/ZIP): 910 ELM GROVE RD LLC 910 ELM GROVE RD. #5 53122	Business Owner Mailing Address (City/State/ZIP): 2240 S. 16 <sup>th</sup> St. Milwaukee, WI 53216
Property Owner Business Phone and Fax #: 262-784-5241	Business Owner Business Phone and Fax #:
Property Owner Cell Phone #: 414-688-8241	Business Owner Cell Phone #: 414-477-5949
Property Owner E-mail Address: RP HEINRICH@ATT.NET	Business Owner E-mail Address: Vargaw19@gmail.com
After Hours Emergency Contact Name and Phone #: BOB HEINRICH 414-688-8241	After Hours Emergency Contact Name and Phone #: 414-477-5949

**Business Use Information (attach additional sheets if required)**

**1. Explanation of Proposed Business (e.g. use of building/property):**  
 long life in healthy body will serve to consult clients on different approaches to health care. The office area will serve for one on one sessions to discuss health concerns with clients, health evaluations, and recommendations. In addition non invasive therapies will be provided, where clients will have the opportunity to relax and regain balance.

**2. Total Number of Employees/Number of Employees on Largest Work Shift:**  
 Total Number of Employees: 2 (both full and part time)  
 Total Number of Employees on Largest Work Shift: 2

**3. Hours of Operation (for each day of the week):**  
 Monday: 10-6pm    Tuesday: 10-6pm    Wednesday: 10-6pm    Thursday: 10-6pm  
 Friday: 10-6pm    Saturday: \_\_\_\_\_    Sunday: \_\_\_\_\_

4. Customer Load:

Daily Average: 3

Daily Peak: 5

5. Will you be submitting for signage? If yes, your proposal must meet Building Board specifications – see Zoning Administrator.

Yes

No

6. If a dumpster is located on the property, is it screened from the street and all neighboring properties? Dumpsters must be screened per Village Ordinance – see Zoning Administrator.

Yes

No

7. Expected Date of Occupancy:

4/7/16

**Site Plan Information** (Provide representation of the following: ingress; egress; parking arrangement; landscaping; loading docks/stalls; refuse/recycling receptacle storage; equipment/materials storage; accessory structures.  
**If a site plan has been previously filed with the Village, please indicate below and reference the date of submittal.)**

**Floor Plan Information** (Provide identification of offices, conference rooms, display areas and storage areas).  
 List all other occupants within the building, their business and parking requirements (may be provided by building owner).

**Approval of the Plan of Operation and Site Plan Review will NOT be granted without receipt of this completed form at least 20 business days prior to a regularly scheduled Plan Commission meeting (first Monday of each month).**

Applicant's Signature: [Signature] Date: 4/1/16

Signature of Property Owner or Registered Agent: [Signature] Date: 4/5/16

**Signature of this document denotes review of and agreement to the content of this form and the requirements of Section 335-85 – Plans of Operation.**

Conditions of Approval:

Copies provided to:

Building Inspector

Police Department

Fire Department

Fire Inspector

Assessor

Village Clerk

VILLAGE OF ELM GROVE  
CONDITIONAL USE PERMIT APPLICATION

RECEIVED

Please complete this form. Attach additional sheets if necessary.

APR 27 2016

VILLAGE OF ELM GROVE

Applicant Name(s): Tina Provan

Applicant Address: W152S8159 Mystic Dr, Muskego, WI 53150

Applicant Phone Number: 414-232-9231 Applicant Email: Tinaprovan@yahoo.com

Name of business or development: Areola

Address of the property: 910 Elm Grove Rd, Elm Grove, WI 53122

Property owner name: Bob Heinrich

Property owner address: 910 Elm Grove Rd, Elm Grove, WI 53122

Architect/Professional Engineer and or Contractor Information (if applicable):

Name(s): NA

Address(s):

Description of the property by lot, block, and recorded subdivision or by metes and bounds:

910 Elm Grove Rd, Elm Grove, WI 53122

Proposed operation or use of the structure or site: In Elm Grove Salon I plan

to use a small space to

perform Areola Tattoos on

Breast Cancer survivors.

This is the last stage of

their reconstruction process.

Tax Key Number: EGVQ007 Zoning District: B-2 Local Business District

Please attach the following information to this application

1. A survey prepared by registered surveyor identifying criteria located in §335-86 B(3). If a floodplain property, identify criteria located in §335-86 B(4)
2. All opposite and abutting property owners of record.
3. Additional information requested by Village Board, Plan Commission, Engineer or Zoning Administrator.
4. Any additional information provided by applicant.

Signature of Applicant:  Date: April 18, 2016

**VILLAGE OF ELM GROVE**  
**Application for Plan of Operation and**  
**Change in Use/Amendment to Existing Operation**

*\*\*This document is a matter of public record and may be reviewed upon request\*\**

**\$25.00 Application Fee Due at Time of Submission**

**Business Contact Information**

Property Information	Business/Tenant Information
Property Tax Key #: EGVQ007	Business Name: Areola, LLC
Property Address: 910 Elm Grove Rd Elm Grove, WI 53122	Business Owner: Tina Provan
Property Owner and Mailing Address (City/State/ZIP): Bob Heinrich 910 Elm Grove Rd Elm Grove, WI 53122	Business Owner Mailing Address (City/State/ZIP): W152S8159 Mystic Dr, Muskego, WI 53150
Property Owner Business Phone and Fax #: Bob Heinrich 262-796-0181	Business Owner Business Phone and Fax #:
Property Owner Cell Phone #: Bob Heinrich 414-688-8241	Business Owner Cell Phone #: 414-232-9231
Property Owner E-mail Address:	Business Owner E-mail Address: Tinaprovan@yahoo.com
After Hours Emergency Contact Name and Phone #:	After Hours Emergency Contact Name and Phone #: Tina Provan 414-232-9231

**Business Use Information (attach additional sheets if required)**

**1. Explanation of Proposed Business (e.g. use of building/property):**

I am a Registered Nurse/Licensed Tattoo Artist with 14 years experience with Breast Cancer Patients. I have been tattooing areola color onto reconstructed patients over this time. I would like to offer my tattoo expertise to all Breast Cancer survivors. This is a procedure that helps women feel whole again following their illness. These patients will be scheduled by appointment only.

Total Number of Employees: 1 (both full and part time)

Total Number of Employees on Largest Work Shift: 1

**3. Hours of Operation (for each day of the week):**

Monday: 9am-9pm    Tuesday: 9am-9pm    Wednesday: 9am-9pm    Thursday: 9am-9pm

Friday: Off Saturday: Off Sunday: Off

4. Customer Load:

Daily Average: \_\_\_\_\_ Varies.

Daily Peak: \_\_\_\_\_ 1-2 patients per week

5. Will you be submitting for signage? If yes, your proposal must meet Building Board specifications – see Zoning Administrator.

Yes

No

6. If a dumpster is located on the property, is it screened from the street and all neighboring properties? Dumpsters must be screened per Village Ordinance – see Zoning Administrator.

Yes

No

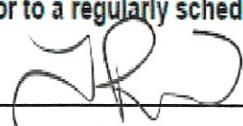
7. Expected Date of Occupancy:

June 1st 2016

**Site Plan Information** (Provide representation of the following: ingress; egress; parking arrangement; landscaping; loading docks/stalls; refuse/recycling receptacle storage; equipment/materials storage; accessory structures. *If a site plan has been previously filed with the Village, please indicate below and reference the date of submittal.*)

**Floor Plan Information** (Provide identification of offices, conference rooms, display areas and storage areas). List all other occupants within the building, their business and parking requirements (may be provided by building owner).

Approval of the Plan of Operation and Site Plan Review will NOT be granted without receipt of this completed form at least 20 business days prior to a regularly scheduled Plan Commission meeting (first Monday of each month).

Applicant's Signature: \_\_\_\_\_  Date: 4/27/14

Signature of Property Owner or Registered Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of this document denotes review of and agreement to the content of this form and the requirements of Section 335-85 – Plans of Operation.

Conditions of Approval:

CONDITIONAL USE PERMIT

Areola LLC  
910 Elm Grove Road  
Elm Grove, Wisconsin

Document Number

**WHEREAS**, Areola LLC (“Applicant”) has applied for a conditional use permit (the “CUP”) pursuant to Sections 335-22C(3) and 335-86 of the Village of Elm Grove Code of Ordinances for the operation of a Tattoo Parlor for Breast Cancer Survivors at 910 Elm Grove Road, Elm Grove, Wisconsin, (the “Property”) more specifically described as:

PT NW1/4 SEC 25 T7N R20E COM CTR SEC 25 NLY ALG E LI 157.85 FT  
NWLY 376.00 FT ALG CURVE NWLY 519.44 FT ALG CURVE N22°15'W  
201.13 FT THE BGN N22°15'W 175.00 FT N67°44'E 206.97 FT S22°49'E 46.00  
FT S51°05'W 2.26 FT S22°15'E 128.36 FT S67°44'W 205.25 FT TO BGN EX  
WLY 40.00 FT FOR RD 0.67 AC R2168/397

**WHEREAS**, the Property is located in the B-2 Local Business zoning district; and

**WHEREAS**, Section 335-22C(10) of the Village of Elm Grove Code of Ordinances provides that tattoo parlors in the B-2 District are conditional uses; and

**WHEREAS**, Applicant has submitted all information as required under Section 335-86B of the Village of Elm Grove Code of Ordinances and submitted a Plan of Operation pursuant to the Village of Elm Grove Code of Ordinances; and

**WHEREAS**, the Village Plan Commission reviewed the subject CUP application on May 2, 2016 pursuant to Section 335-86C of the Village of Elm Grove Code of Ordinances; and

**WHEREAS**, the Village Board of Trustees held a public hearing upon the subject CUP application pursuant to Section 335-86D of the Village of Elm Grove Code of Ordinances on May 23, 2016; and

**WHEREAS**, the Village Board of Trustees has considered the Plan Commission’s recommendations and has determined that the proposed conditional use is in accordance with the purpose and intent of the Village Zoning Code and the proposed use, with conditions of operation, will not be hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or community.

**NOW THEREFORE**, the Village Board of Trustees hereby authorizes the Zoning Administrator to issue a conditional use permit to Areola LLC for the operation of a tattoo parlor for breast cancer survivors, which conditional use permit shall be subject to the following conditions:

Recording Area

Name and Return Address

Village of Elm Grove  
13600 Juneau Blvd.  
Elm Grove, WI 53122

Parcel Identification Number  
(PIN): EGV 1106967

1. The conditional use permit granted hereunder is for the sole benefit of Areola, LLC
2. All business activities conducted on the Property shall conform to this CUP, the Plan of Operation attached hereto and incorporated herein by reference, and the Village of Elm Grove Code of Ordinances.
3. Changes subsequent to the initial issuance of this CUP shall require an amendment to this CUP.
4. This CUP shall terminate upon the occurrence of any of the following:
  - a. Upon Areola LLC failing to conduct business at the Property in substantial conformity with this CUP or the attached Plan of Operation; or
  - b. Upon the cessation of the operations permitted under this CUP.
5. This CUP shall be recorded by its holder with the Waukesha County Register of Deeds within fifteen (15) days of its full execution.

This conditional use permit is hereby issued this 23<sup>rd</sup> day of May, 2016 subject to the conditions provided herein.

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Neil H. Palmer, Village President

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Mary S. Stredni, Village Clerk

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David De Angelis, Village Manager

[VILLAGE SEAL]

This instrument drafted by David De Angelis