AGENDA

1. Roll Call.

2. Review and act on meeting minutes dated 6/1/20.
   Documents:
   - pc060120dm.pdf

3. Review and act on a request by Chris Miller, of Miller Marriott Construction Company, for consideration of a residential land division for the property located at 14265 Juneau Boulevard, pursuant to §305-6 and §335-14.
   Documents:
   - aerial photo 2000.pdf
   - juneau blvd proposal by miller marriott 6-24-2020 email.pdf
   - preliminary consultations. - preliminary and final plat. - certified survey maps.pdf
   - rs-1 single-family residential district.pdf
   - topo map.pdf

4. Other Business

5. 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 have 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.
Meeting was called to order at 7:00 p.m. by President Palmer

1. Roll Call.
Present in person: President Palmer, Thomas Harrigan, Zoning and Planning Administrator/Assistant to the Village Manager, Hector de la Mora, Village Attorney.
Present Via Video Conference: Mr. Cashin, Mr. Long, Mr. Reineke, Mr. Jodie, Mr. Kujawa, Trustee Michalski, Village Manager David De Angelis and Applicant.
Absent: None.

Mr. Cashin motioned and Mr. Long seconded to approve the meeting minutes as submitted. Motion carried 7-0.

3. Review and act on a request for a Conditional Use Permit pursuant to §335-86 and §335-50.1 for the operation of a wireless telecommunications antenna to be located at 1085 Grandview Drive.
Mr. Patrick Hayes, property owner of 1085 Grandview Drive, was present before the Commission.
President Palmer asked Mr. Hayes if anything in the application has changed since it was submitted.
Mr. Hayes stated there have been no changes and the radio tower is not for commercial use.
President Palmer verified the radio tower will be used for the operation of a Federal Communications Commission (FCC) licensed HAM operation. President Palmer inquired what the distance would be from the proposed radio tower to the lot lines of the property.
Mr. Hayes explained the tower would stand 25’ to the edge of the driveway northeast of the garage and located as close as possible to the large pine trees which straddle the northern property line.
Only the bottom 10’ and very top of the tower would be visible as most of the structure would be screened by the large pine trees.
President Palmer asked if the structure were to fall, would it have the ability to reach any of the neighboring homes.
Mr. Hayes indicated the tower would not have the ability to contact adjacent homes if it were to fall.
Trustee Michalski asked how tall the tower would stand.
Mr. Hayes stated the tower would be approximately 60’ in height. With the radio antenna on top of the tower it would stand 65’ I height.
Mr. Michalski inquired how tall Mr. Hayes’ home stands.
Mr. Hayes indicated he would estimate the tower would stand 30’-40’ higher than the home.
Mr. Kujawa asked if there would be an array of antenna on top of the tower.

Mr. Hayes stated antenna would be located on top of the tower.

Mr. Long inquired that if the tower were to fall, would it have the ability to strike any above ground utilities.

Mr. Hayes indicated that it would not.

President Palmer commented that if the Conditional Use Permit (CUP) is to be recommended for approval to the Village Board of Trustees, he would suggest a condition be included which states the CUP would terminate upon the failure of the applicant to maintain a valid FCC license.

President Palmer also noted the application will need to include the exact location and dimensions of the “fall zone” of the tower. It would be helpful to see pictures taken from multiple locations of the fall zone.

Mr. Kujawa opined he would not appreciate looking at the tower if he lived on the west side of Grandview.

Attorney de la Mora noted that in the absence of a vision easement, the neighbors have no claim to a vista.

Mr. Reineke suggested it may be helpful for Mr. Hayes to bring detailed photographs of the tower and its proposed location to the Public Hearing.

Attorney de la Mora highlighted that Wisconsin Act 50 allows a community to take into consideration safety, but not aesthetics, when considering approval of the tower. That is not to say the Commission cannot make a recommendation on the matter. It should also be noted that the tower, if approved, would be subject to building inspections by way of a building permit.

Mr. Cashin stated that he highly recommends the tower undergo engineering review and the applicant provide plans which are stamped by a licensed professional engineer within the State of Wisconsin.

Mr. Hayes commented that he understands and agrees the towers foundation is the key to its stability.

Mr. Cashin opined that he shares similar sentiments as Mr. Kujawa, but understands the Commission is limited in authority due to Wisconsin Act 50.

Mr. Kujawa inquired if the Commission is able to table the application.

President Palmer asked for what reason.

Mr. Kujawa stated that he is familiar with the process of items being tabled in order to create the possibility of the item going away. Mr. Kujawa asked that if the Commission has limited scope of authority to deny the CUP application, why it is being reviewed in the first place. There is no need for debate.

President Palmer respectfully disagreed with Mr. Kujawa. Yes, there is very limited authority granted to the governing body, however the CUP allows for regulation over the tower if the applicant is to move away from the property, no longer be the owner of the property, or if he no longer maintains a valid FCC license.
President Palmer motioned to recommend approval of the draft CUP to the Village Board of Trustees contingent upon the applicant submitting stamped engineering plans reviewed by a licensed engineer within the State of Wisconsin, including the provision that the CUP will terminate upon failure of the applicant to maintain a valid FCC amateur radio license, and upon the applicant no longer residing at the property. These will be in addition to the provisions already stated within the CUP. Mr. Michalski seconded.

Mr. Kujawa asked the Commissioners if anyone else has issue with this CUP application.

Mr. Cashin confirmed, he also has reservation with the CUP.

Mr. Kujawa recommended the CUP include language which states the Plan Commission is unable to stop the CUP application in anyway due to State and Federal law.

President Palmer asked Mr. Kujawa to propose the language which should be included.

Mr. Kujawa motioned that the CUP be amended to include, “WHEREAS, State law prevents the Plan Commission from preventing or placing restrictions on the erection of this wireless telecommunication tower.”

President Palmer amended his original motion to include the language which Mr. Kujawa suggested. Mr. Michalski seconded. Motion carried 7-0.

President Palmer suggested Mr. Hayes attend the Public Hearing in person in order to field questions directly.

4. Other Business
None.

5. Adjournment
Mr. Cashin motioned to adjourn, seconded by Trustee Michalski, Motion carried 7-0.

Meeting adjourned at 7:50 pm.

Respectfully Submitted,

Thomas Harrigan
Zoning and Planning Administrator/
Assistant to the Village Manager
The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.
SITE PLAN PROPOSAL

KEY DEVELOPMENT POINTS
- Professional landscape maintenance
- Improved water management
- Beautiful rain gardens
- Individual Wells
- Water quality improvement
- Architecturally fitting structures

IMPROVED STORM WATER DRAINAGE
- Rain gardens with beautiful native prairie flowers in biofilter soils will provide storm water management (peak flow reduction) and water quality improvements (40% TSS removal), per village and MMSD requirements.
- Rain gardens will discharge directly to the Junau Blvd. ditch to improve the downstream drainage condition.
- Storm water drainage easements ensure lot owner maintenance in perpetuity.
INTENT

Miller Marriott Construction Co. is proposing a four-lot custom single family home community clustered along a private drive and cul-de-sac at the 3.21 acre 14265 Juneau Boulevard property. Each lot will be ½-acre in size or larger, adhering to Rs-1 zoning requirements and providing a 25-foot front setback to the internal private drive easement. The homes have been strategically situated on this site to provide proper relationships to the neighboring homes, while preserving existing vegetation and integrating with the topography of the site. The homes will present a front façade to Juneau Boulevard and afford a private patio with ample rear yard, which seamlessly blends in to the surrounding neighborhood. Each lot has greater than 125’ of lot width at each home area to comply with Rs 1 zoning standards.

A 22’ wide private drive framed by mountable curb and gutter within an access easement will provide access to this four lot development. A large cul-de-sac loop with open space island accommodates emergency vehicle turnaround. The lots will be served by sanitary sewer connected to the existing manhole at Juneau Blvd and Lakeside Dr. Each lot will have its own private well that will be located >50’ from the sanitary sewer line. This development will improve storm water drainage in this area. Runoff from the lots and private drive will discharge to rain gardens designed to have beautiful native prairie flowers in biofilter soils, providing peak flow reduction and water quality improvements per Village and MMSD requirements. The rain gardens will discharge directly to the Juneau Blvd ditch to improve the downstream drainage condition. Storm water drainage easements ensure that the lot owners maintain the rain gardens in perpetuity.

PROPOSED SITE DATA

<table>
<thead>
<tr>
<th>EXISTING SITE DATA</th>
<th>PROPOSED SITE DATA</th>
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<tbody>
<tr>
<td><strong>TOTAL LOT AREA</strong></td>
<td>138,918 SF (3.21 ac)</td>
</tr>
<tr>
<td><strong>IMPROVED AREA</strong></td>
<td>138,918 SF (3.21 ac)</td>
</tr>
<tr>
<td><strong>BUILDING FOOTPRINT</strong></td>
<td>LOT 4</td>
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<tr>
<td></td>
<td>TOTAL IMPROVED AREA</td>
</tr>
<tr>
<td></td>
<td>NET SITE COVERAGE</td>
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<tr>
<th>PROPOSED UTILITY SERVICE NOTE</th>
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<tbody>
<tr>
<td><strong>SANITARY SEWER SERVICE</strong> will CONNECT TO THE EXISTING SANITARY MAINS ON THE SOUTH SIDE OF THE JUNEAU BLVD LANEWAY OR INTERSECTION</td>
</tr>
<tr>
<td><strong>ENTRANCE</strong> will have its own PRIVATE WELL located 50’ from the Sanitary Sewer Service.</td>
</tr>
<tr>
<td><strong>PRIVATE DRIVE AND DOWNSPOUT/SUMP FRINGE</strong> will drain to PROPOSED RAD DRAINS. Exisit DRAIN will have PROPOSED (CONCEALED) GAS AND ELECTRIC SERVICE.</td>
</tr>
<tr>
<td><strong>TOTAL IMPROVED AREA</strong></td>
</tr>
<tr>
<td><strong>NET SITE COVERAGE</strong></td>
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**NEW IMPROVEMENTS** will extend 20’ (27’) (27’) (27’)

**TOTAL OPEN SPACE** | 16,735 SF (12%) (17%) (17%) (17%) |

DEVELOPED BY:

miller marriott construction co LLC

14265 Juneau Boulevard
Village of Elm Grove, Wisconsin

DATE: 06/23/2020
ABOUT MILLER MARRIOTT

Elm Grove is an ideal spot for the quality architecture and style that Miller Marriott delivers. We cater to a detailed, architecturally conscious market, where curb appeal, style and location are paramount.

For the four lots available on this parcel, the visuals below are similar to what we envision there. We will be open to building what the market calls for, integrating our architectural knowledge to help blend into the surrounding area appropriately.

For more information on our style and company history, please visit: www.millermarriott.com

OUR VISION

TO BUILD A HOME WITH TIMELESS AESTHETIC, AND UNIQUE ASPECTS REFLECTING YOUR PERSONAL PHILOSOPHY. YOUR HOME WILL BE A PIECE OF ART THAT WILL CARRY BEYOND A LIFETIME MAKING A LASTING IMPRESSION AS WELL AS A POSITIVE CONTRIBUTION TO YOUR NEIGHBORHOOD AND COMMUNITY.
§ 305-6. Preliminary consultations.

Prior to filing a preliminary plat or certified survey map, the subdivider may consult the Plan Commission for advice and assistance.

§ 305-7. Preliminary and final plat.

A. The subdivider shall submit a preliminary plat and such copies thereof as shall be required to the Zoning Administrator, who shall forthwith forward the plat to the Plan Commission for initial consideration and shall forward copies thereof to the state agencies as required by Section 236.12 of the Wisconsin Statutes.

B. After initial review of the preliminary plat and negotiations with the subdivider on changes deemed advisable and the kind and extent of public improvements which will be required, the Plan Commission shall refer the preliminary plat to the Board of Trustees, together with its recommendation concerning approval or objection.

C. Within 90 days of submission of the preliminary plat to the Zoning Administrator, the Board of Trustees shall approve, approve conditionally or reject the preliminary plat unless the time is extended by agreement with the subdivider. The subdivider shall be notified in writing of any conditions of approval or the reasons for rejection. In accordance with the provisions of § 236.11, Wis. Stats, failure of the Board of Trustees to act on a preliminary plat within the 90 days, or extension thereof, constitutes an approval of the preliminary plat.

D. Approval of the preliminary plat shall entitle the subdivider to final approval of the final plat if all of the following conditions are met:

(1) The final plat conforms substantially to the preliminary plat as approved and any conditions of that approval have been met;

(2) All local plans and ordinances have been complied with; and

(3) The final plat is submitted to the Board of Trustees within six months of the last required approval of the preliminary plat.

E. The Board of Trustees shall approve or reject the final plat within 60 days of its submission, unless the time is extended by agreement with the subdivider.
§ 305-8. Certified survey maps.

Certified survey maps shall be submitted to the Plan Commission and reviewed in the manner set forth for preliminary plats under § 305-7.
§ 335-17. Rs-1 Single-Family Residential District.

The Rs-1 Residential District is intended to provide for single-family residential development, at densities not to exceed 1.7 dwelling units per net acre, served by municipal sanitary sewer facilities.

A. Permitted principal uses.

(1) Single-family dwellings with attached garages.

(2) Essential services.

B. Permitted accessory uses.

(1) Accessory structures and uses customarily incident to the above uses, including Private Garages when located on the same lot and not involving the conduct of a business; provided, however, that no principal dwelling structure shall be erected unless a Private Garage with a minimum area of 440 square feet is erected simultaneously with the principal dwelling structure. Carports shall be permitted in such district, provided that a Private Garage has been constructed and is directly connected as prescribed below. Every Private Garage and Carport so erected shall be directly connected with the main structure, either by common wall, portico, porch or similar connection, roofed over, said roof to be connected to the roof or walls of the main dwelling structure. In addition to Private Garages, servants' quarters shall be considered accessory structures; provided, however, that such quarters shall be occupied only by servants employed on the premises and shall not be rented as a separate domicile, and such quarters shall be connected with the principal structures in the same manner as Private Garages. [Amended 12-15-2014]

C. Conditional uses. [Amended 9-10-2001]

(1) Utility substations.

(2) Detached garages.

(3) Home occupations.

(4) Professional home offices.

(5) Driveways, patios, walkways or other hardscape constructed using a permeable surface to exceed the allowable percentage of maximum impervious surface area as defined within this chapter. [Added 3-24-2014]
D. Lot area and width. Lots shall be a minimum of 25,000 square feet in area and shall be not less than 125 feet in width at the front building line.

E. Building height and area.

(1) Height. [Amended 9-10-2001]

(a) The building height for principal structures (including any part thereof) shall not exceed 36 feet; provided, however, that the building height for principal structures may be increased by one foot for every two feet added to all side yard and the rear setback requirements for the district in which the structure is located. A maximum of five feet of additional building height may be added under this subsection.

(b) For principal structures having exposed foundations on the side or rear yards, the vertical height at that location shall not exceed 46 feet; provided, however, that the vertical height at that location may be increased by one foot for every two feet added to all side and rear setback requirements of the district up to a maximum of five feet of additional vertical height.

(c) The building height of accessory structures, other than servants' quarters and garages, shall not exceed 10 feet.

(d) The building height of servants' quarters and garages shall not exceed 36 feet.

(2) A one-story dwelling shall have a minimum living area of 1,600 square feet.

(3) A split-level home shall have a minimum living area of 1,600 square feet on the upper two levels.

(4) A one-and-one-half-story home shall have a minimum living area of 1,400 square feet on the first floor and a total minimum area of 1,950 square feet.

(5) A two-story home shall have a minimum combined living area of 2,100 square feet on the two floors.

(6) The required attached garage shall have a minimum floor area of 440 square feet.

F. Yards (principal and/or accessory structures).
(1) There shall be a minimum building setback of 50 feet from each abutting street right-of-way.

(2) There shall be a side yard setback on each side of any principal or accessory structure not less than 20 feet in width.

(3) There shall be a rear yard setback of not less than 25 feet.

G. Maximum building footprint area: 20% of lot area.

H. Maximum impervious surface: 30% of lot area.