



CITY OF WAUPUN PLAN COMMISSION MEETING
Video Conference and Teleconference
Monday, August 31, 2020 at 4:45 pm
(Approved 9/16/20)

VIDEO CONFERENCE AND TELECONFERENCE

The Waupun Plan Commission met virtually at 4:45 pm on August 31, 2020, via Zoom.

CALL TO ORDER

The Waupun Plan Commission met virtually at 4:45 pm via Zoom.

ROLL CALL

Members Present: Julie Nickel, Fred Lueck, Elton TerBeest, Jerry Medema, Jeff Daane, Jill Vanderkin and Mike Matoushek

Staff Present: Sarah VanBuren and Steve Brooks

PERSONS WISHING TO ADDRESS THE PLAN COMMISSION-

Chairman Nickel asked if there were any persons wishing to address the committee on any items not included on today's agenda. Hearing nothing, Chairman Nickel proceeded to address the items listed for consideration and action on today's committee agenda.

FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION

Chairman Nickel indicated the next meeting of the Plan Commission will be September 16, 2020, at 4:45 pm.

CONSIDERATION - ACTION

1. **APPROVE MINUTES** of the August 19, 2020 Plan Commission Meeting.
Motion by TerBeest, seconded by Medema to approve the minutes of the August 19, 2020 Plan Commission meeting as presented. Motion carried, unanimously.
2. **PUBLIC HEARING – CONDITIONAL USE PERMIT** - Wind & Unwind Coffee & Wine House, 310 E Main St. Waupun.
Application to provide outside service under Section 11.12(4)(a) of the City of Waupun ordinance in a B-2 Central Business District subject to a Conditional Use Permit. Chairman Nickel read the call of the hearing and its purpose. Chairman Nickel said that the Council approved restrictions and guidelines for outdoor service, sidewalk café, and beer gardens with a license and in accordance with Chapter 11.12 of the City of Waupun Ordinance. She also noted that Jeff Collien, owner of Wind & Unwind at 310 E. Main St. applied for a Conditional Use Permit to allow tables and chairs on the sidewalk in front of his coffee and wine house business. The applicant nor anyone representing the applicant appeared to discuss his Conditional Use Permit Application.

A general discussion of the need for these type of services in Waupun outside certain businesses in the B-1, B-2, B-3, and B-4 Zoning districts was had. Chairman Nickel noted that the owner of the business to the east of Wind & Unwind Coffee and Wine House was not opposed to the outside service as long as it is not in the street. Daane referred to a business blocking off one parking stall in front of the street for a band. Lueck feels that Main Street in Waupun is a state highway and the state probably would not allow anything on its right of way except the parking of cars.

Lueck said he is in favor of outdoor service, sidewalk café, and beer gardens but the ordinance recently approved by the Council appears only to refer to licenses for those uses, but not for permits for these type of land uses under the City's Zoning Ordinance. He said he could not vote for this Conditional Use Permit tonight as the City Zoning Ordinance has not been amended to allow these type of uses in the B-1, B-2, B-3

& B-4 zoning districts under the Conditional Use Permit section at this time. He feel the City Attorney or the City Zoning Administrator should have filed an amendment to the Zoning Ordinance as soon as the Council approved the Chapter 11.12 amendment to the City Ordinance. As he understands this amendment may not be accomplished until late September. In addition, he noted that the business address on this Conditional Use Permit Application is 310 E. Main St., however, his site plan shows the tables and chairs extending on to property at 306 E Main St. (Club Fitness). Mr. Collien apparently owns both properties. Lueck questioned whether he meets the restriction for a sidewalk café as that ordinance requires that you derive more than 50% of your gross business revenue from the sale of food on that premises in the B-2 Zoning District. Does the property owner west of Club Fitness actually know that the outside café (6 tables and 12 chairs) are proposed to extend right up to his lot line.

No further facts or questions were entered into the record so Chairman Nickel closed the hearing and asked for a motion on the Conditional Use Permit Application.

Motion by Daane, seconded by Matoushek to grant the Conditional Use Permit for a sidewalk Café at 310 E. Main St. which is located in a B-2 Zoning District on the condition this use meets the restrictions, requirements, and guidelines of Chapter 11.12(5)(a) of the City Ordinance. We find that this Conditional Use Permit will not be detrimental to adjacent businesses, will be an appropriate use, will not create traffic hazards, will not hinder future development in the area, will not create undesirable levels of noise or light in the area and will allow property values to increase.

Vote: Matoushek, TerBeest, Medema, Daane, Vanderkin, and Nickel – “AYE”

Lueck – Abstain

Motion carried 6-0-1

3. **Site Plan Review:** Municipal Well and Pump at 1212 Storbeck Dr.

Chairman Nickel briefly noted that Municipal Well and Pump is proposing a new storage building at 1212 Storbeck Dr.

Dale Pokorny representing Municipal Well & Pump appeared and discussed their plan for a 72' x 120' new storage building behind their parking lot. The structure will be used for storage of more trucks, pumps, etc. and give them a better area to load and unload vehicles and equipment. Daane had some questions on drainage around the area where the new building is to be located. Mr. Pokorny said they have had the drainage checked out by their engineers and it should be OK. Daane made reference to MSA checking this out. Lueck noted he had spoken to the owner of Horizon Construction across the street today and he was unaware of this new structure and didn't have any concerns if constructed at its proposed location

Chairman Nickel called for a motion to act on the site plan.

Motion by Matoushek, seconded by TerBeest to approve the site plan for Municipal Well & Pump for construction of a 72' x 120' storage building on their lot at 121 Storbeck Dr.

Vote: Matoushek, TerBeest, Medema, Daane, Vanderkin, Lueck, and Nickel – “AYE”

Motion carried, unanimously 7/0.

4. **ADJOURNMENT** Motion by Matoushek, seconded by TerBeest to adjourn the meeting. Motion carried, unanimously. Meeting adjourned at 5:09 pm.

Fred Lueck
Secretary