

**City of Oconomowoc
Plan Commission Meeting Minutes
April 7, 2021**

Chairman Magnus called the meeting to order at 6:00 pm.

Members Present: Commissioners John Gross, Ken Brotheridge, Chairman Robert Magnus, Dean Frederick and Lou Kowieski

Members Absent: Commissioners Chad Vande Zande and Tim Valley

Others Present: Jason Gallo, Atty. Stan Riffle, Mark Frye and Chris Dehnert

2. Approve Minutes of March 3, 2021: Motion by Frederick to approve the March 3, 2021 minutes; second by Kowieski. Motion carried 5-0.

3a. Public Hearing – Food Trucks: The purpose of the hearing is to hear public comment on the application by the City of Oconomowoc for a text amendment to create §17.111(10) of the zoning ordinance pertaining to Food Trucks & Mobile Food Shops. The request is to create definitions, permit, application & location requirements, permit review process, and other general regulations. Gallo reported there are no specific policies or standards for food trucks which is a growing business, especially due to the desire by the public for outdoor dining in 2020 because of the pandemic. He noted at one point the City had up to 6 food trucks in various locations around the City and he still receives inquiries about them. Gallo gave a PowerPoint presentation which explained the current process of issuing a temporary use permit allowing them to operate in one location up to 6 months; the need for policy or direction on continuing to approve them in the same manner; in 2012 Council approved a food court for up to 5 vendors to be located on a vacant lot on E. Wisconsin Avenue; and the Committee-of-the-Whole discussed food trucks and were in favor of allowing them in the City with tighter regulations. Gallo researched how other communities addressed food trucks and showed a photo of a food court in Florida. He added under the proposed ordinance a food truck who intends to stay 3 months or less will be treated as a temporary use which can approved by staff, and permanent vendors and food courts would require review by the Plan Commission and Council. The ordinance also addresses fees, maximum number of trucks, approval process, utilities, signage, music, tables & chairs, and restrooms. Gallo previously emailed the proposed ordinance to the members and addressed their concerns. The public hearing opened at 6:18 pm. The following interested person spoke:

- 1) Mike Herro, 156 E Wisconsin Avenue, said he owns property in the downtown and is excited about food trucks. He plans to come back with a plan for a food court; has been working with a landscaper and restauranter; will increase the space for parking; and include bathrooms and potential retail space. There will be no more electrical cords and outdoor furniture will be provided to make the space look nice. He thinks the fees are high; food trucks give people the chance to try different food; and he would like to have 6 – 8 food trucks in the court, 2 – 4 temporary trucks and possibly even seasonal items for sale.

No additional comments were received and the hearing closed at 6:25 pm.

4a. Consider / recommend the zoning ordinance text amendment to create §17.111(10) Food Trucks and Mobile Food Shops: The members thanked the Herro's for bringing food trucks into the City. They also suggested this text amendment could also include food courts / mobile shops. Gallo said he received a phone call early today from someone who wants to be able to sell items from a truck which is not the intent of this ordinance but could be incorporated into it if members agreed. Riffle was uncomfortable expanding the discussion of food trucks into other types of mobile shops at this time. Gallo said there is an interest in providing other items for sale from trucks but it would take time to re-tool the ordinance. He suggested moving forward with a discussion on food trucks and address other types of sales at a future meeting which members agreed. Discussion by the members

included: should consider how to provide for food trucks without being too strict; questioned if a food truck court should be located in the downtown; food trucks and food courts are two separate things; thinks allowing for up to 15 food trucks is a good number to start; the ordinance is addressing a lot of the concerns of business owners in the downtown; not sure if a permanent electrical connection is good, but electric cords if maintained are fine; and should remove the proof of insurance requirement. Gallo said he can address issues that have been raised tonight and include them in the ordinance as part of a black lined version which goes to Council. Riffle will look into the certificate of insurance requirement; however, he believes it is between the vendor and the landlord. Trebatoski agreed the proof of insurance shouldn't be required by the City but suggested a letter of approval by the property owner be required. Motion by Kowieski to recommend to Council the zoning ordinance text amendment to allow Food Trucks and Mobile Food Shops with the issues raised during discussion this evening; second by Gross. Motion carried 5-0.

4b. Consider / recommend the Extra-Territorial Certified Survey Map to divide one lot into three and an outlot on Nelson Road, Town of Oconomowoc: Gallo reported this request is to divide 1 lot into 3 buildable lots and 1 unbuildable outlot in the Town of Oconomowoc. The property is located within the City's extraterritorial limits as it is less than ½ mile from the closest City boundary. The land contains wetland areas and the owner has been working with Waukesha County and the Town to design the best locations for the buildable lots. Gallo noted a master grading and drainage plan was included, and each lot will have a separate driveway onto Nelson Road. No technical review was done and Gallo recommends approval. Motion by Frederick to recommend to Council approval of the Extraterritorial Certified Survey Map as submitted to divide one lot into three lots and an outlot on Nelson Road, Town of Oconomowoc; second by Brotheridge. Motion carried 5-0.

4c. Consider / recommend the Extra-Territorial Certified Survey Map that combines two lots into one located at N53 W35994 Lake Drive, Town of Oconomowoc: Gallo reported this request is to combine 2 lots into 1 in the Town of Oconomowoc. The property is located within the City's extraterritorial limits as it is less than ¼ mile from the closest City boundary. Waukesha County and the Town are working with the owner to combine the two parcels into one and there is an accepted offer on the property. No technical review was done and Gallo recommends approval. Motion by Frederick to recommend the Extra-Territorial Certified Survey Map to combine two lots into one at N53 W35994 Lake Drive, Town of Oconomowoc; second by Kowieski. Motion carried 5-0.

5. Planning Department Correspondence:

a. 2020 Planning Department Annual Report: Gallo summarized the 2020 Planning Department Annual Report, noting the world-wide effect of the pandemic stunted development and impacted shopping habits, business expansions and banking practices. Applications received by the Planning Dept slowed during the shutdown but then picked up the rest of the year. The Plan Commission reviewed a record number of subdivision plats, and larger projects approved included the Hackney House Apartments, Bubbles Foam Farm Carwash, and the Blue Ribbon Baseball development. There were various text amendments, 41 new businesses, 4 variances, 6 administrative projects and public hearings on 14 projects. Gallo doesn't know if 2021 will be better or worse, and he thanked the members for their time, effort, and reviews of all the projects. The members thanked the planning staff for all their work as well.

b. Correspondence - February 2021: Gallo reported in the month of February, 1 letter was sent on a zoning issue and 1 request was received for occupancy of a new business.

6. Adjourn: Motion by Kowieski to adjourn at 7:31 pm; second by Brotheridge. Motion carried 5-0.

Chris Dehnert, Deputy City Clerk