

TO: Village of East Troy Plan Commission  
CC: Eileen Suhm, Jason Equitz, Tim Lynch  
FROM: Orrin Sumwalt, Planning Consultant  
RPT DATE: January 28, 2025 (Updated February 4, 2025)  
MTG DATE: February 10, 2025  
FOTH FILE: 25E020.01/4  
RE: 2931 Union Street Planned Development District – General Development Plan (GDP) Amendment

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**BACKGROUND:**

1. Petitioner: Steve Lambrechts
2. Property Owner: 2931 Union, LLC
3. Location/Address: 2931 Union Street, East Troy, WI 53120
4. Tax Key Number: RA 502100002
5. Area: 0.24 AC
6. Existing Zoning: 2931 Union Street Planned Development District
7. Proposed Zoning: NA
8. Future Land Use: Institutional and Public Service

**OVERVIEW:**

At the January 13, 2025, Plan Commission meeting, following a properly noticed public hearing, the Plan Commission took the following action "Motion to adjourn the public hearing and hold over until the Plan Commission's meeting on February 10 at 6:30 p.m., and staff to provide notices to property owners within 300 feet".

On January 17, 2025, the petitioner withdrew his previous application and resubmitted a new application that includes additional proposed amendments to the 2931 Union Street Planned Development District to address all of the current and desired future uses within the building. A new public hearing notice was published, and notices were mailed pursuant to Section 550-155 H. (3) of the Village Zoning Code.

Upon petition, the Village approved the 2931 Union Street Planned Development district in 2022. The parameters for the district are codified in Section 510-202 of the Village's zoning code. The property owner has submitted a petition to amend that section to clarify that retail activities are allowed within the fellowship hall, allow office and/or personal or professional services in the portion of the church/school building that was previously a parochial school including the lower level, and to install a multi-tenant monument sign on the property. The proposed changes are below and more fully set forth in the attached public hearing draft of the ordinance.

**§ 510-202. 2931 Union Street Planned Development District.**

- B. Permissible development. ~~The portion of the church/school building that was previously used for church activities may be used for retail sales.~~ **That portion of the church/school building that was previously used for church/fellowship hall activities may be used for retail sales.** Retail operations plans should be submitted for review and approval to the Plan Commission and Village Board.

~~That portion of the church/school building that was previously used for a parochial school (main floor and second floor only) may be used for general office purposes.~~ **That portion of the church/school building that was previously used for a parochial school (main floor, second floor, and lower level) may be used for general office and/or personal or professional services purposes.** On-site parking for uses permitted in the church/school building is not required.

This matter was initially brought to the Village's attention upon the receipt of a complaint about the lack of street parking due to a hair salon business operating within one of the tenant suites (Room 101) within the former school portion of the building. The hair salon has occupied the building without any approval from the Village of East Troy. Furthermore, tenant alterations were made without the appropriate building permit.

Furthermore, a personal trainer business has been operating in the lower level of the former school portion of the building (Rooms 020, 030, and 040). This business was issued an Occupancy Permit by the Village Building Inspector. However, a personal trainer business is also a personal service, which is currently not an allowed use within the 2931 Union Street Planned Development District.

## **PLANNER COMMENTS:**

### **1. Personal or Professional Services.**

Below I've provided the detailed land use description and regulations for personal and professional services from Section 510-42 of the Village Zoning Code.

§ 510-42. Commercial land uses.

B. Personal or professional service. Personal service and professional service land uses include all exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment basis. Examples of such uses include professional services, insurance or financial services, realty offices, hospitals, medical offices and clinics, veterinary clinics, barbershops, beauty shops, and fitness studios and instructional studios (e.g., dance, art, and martial arts) where the occupancy load is 25 people or fewer. Personal or professional service land uses shall meet the following minimum parking requirements: [Amended 7-21-2014 by Ord. No. 2014-06]

- (1) Hospitals: one space per two patient beds, plus one space per staff doctor and one space per two employees on the largest work shift;
- (2) Offices: one space per 300 square feet; and
- (3) Other uses: one space for every three persons at maximum capacity of the establishment.

The Plan Commission should determine whether all the uses referenced within the personal and professional services land use in Section 510-42 B. (above) are appropriate for the 2931 Union Street Planned Development. If the Plan Commission wishes to approve the requesting amendment to allow personal and professional service uses within the school portion of the building, then staff recommends specifically excluding hospitals, medical offices and clinics, and veterinary clinic uses from such an approval.

2. **Parking.** When the 2931 Union Street Planned Development District was initially created, off-street parking was not required. According to Section 510-202 B. Permissible Development, "On-site parking for uses permitted in the church/school building is not required". In 2023 the PUD was amended to allow retail use within the former church sanctuary portion of the building. The Final Development Plan approved at that time included two off-street parking stalls on the north side of the building. According to the petitioner, those off-street spaces were never installed.

According to Section 510-42 B. the parking standard for personal and professional services is:

- (2) Offices: one space per 300 square feet; and
- (3) Other uses: one space for every three persons at maximum capacity of the establishment.

The Plan Commission should determine whether allowing the requested additional use of personal or professional services is appropriate while being solely served by on-street parking.

3. **Signage.** The petitioner has submitted a general signage plan as required by Section 510-87 A. (6) of the Village Zoning Code. Plan Commission approval of an overall sign plan that establishes standards and guidelines for the design of all signs on the property shall be required prior to the issuance of any sign permits for the subject property. Overall sign plan approval should be part of the Final Development Plan approval.
4. **Village Review Procedures.** The Plan Commission is advisory with regard to code amendment applications. The Village Board makes the final decision. The Village Board may approve the amendment as originally proposed, may approve the proposed amendment with modifications, or may deny approval of the proposed amendment. If the Village Board wishes to make significant changes in the proposed amendment to the zoning map, as recommended by the Plan Commission, the procedure in s. 62.23(7)(d), Wis. Stats., must be followed prior to Village Board action.
5. **Public Notice.** As required by the Village's zoning code and state statute, a class II public hearing notice was published, a copy of which is attached.
6. **Public Comment.** As of this date, no written comments have been received.

## **STAFF RECOMMENDATION:**

### **Code Amendment**

Depending on confirmation of by the Village of East Troy Plan Commission of the above-described comments, the Village of East Troy Plan Commission may take the following actions:

The Village of East Troy Plan Commission recommends to the Village Board Approval of the proposed ordinance as drafted amending the 2931 Union Street Planned Development District for the property located at 2931 Union Street, East Troy, WI 53120 (RA 502100002) subject to the following conditions:

1. Hospitals, medical offices and clinics, and veterinary clinics are prohibited.
2. The Petitioner shall satisfy all comments, conditions, and concerns of the Village of East Troy Plan Commission, Village Engineer and Village Zoning Administrator for the planned development district general development plan amendment, and other documentation.
3. The Petitioner and/or Property Owner shall, on demand, reimburse the Village of East Troy for all costs and expenses of any type incurred by the Village in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions. Additionally, any unpaid bills owed to the Village of East Troy by the Subject Property Owner and/or Agent, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees or forfeitures owed to the Village of East Troy must be paid on demand and prior to issuance of any permits and shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of the billing by the Village of East Troy, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach

of the requirements of this conditional approval that is subject to all remedies available to the Village of East Troy, including possible cause for termination of the conditional approval.

**EXHIBIT:**

- A. Petitioner Application
- B. Public hearing notice
- C. Proposed ordinance (Public Hearing draft)