



City of Waukesha
201 Delafield Street
Waukesha, WI 53188
Tel: 262.542.3700
waukesha-wi.gov

City of Waukesha Cover Sheet

Committee: Plan Commission	Meeting Date: 8/27/2025
ID Number: PC25-0136	Ordinance/Resolution Number (if applicable): N/A
Department Submitting: Community Development	Submission Date:
Agenda Item Title: Conditional Use Permit – 3725 Stillwater Court, James Guenther Cigars – A request to operate a wholesale cigar purchasing business, along with the occasional sale of cigars, at the house at 3725 Stillwater Circle as a Home Industry in the Rs-3 Single Family Residential District.	

Issue Before the Council: Proposed small-scale cigar distribution business in a home.
Options & Alternatives: The Plan Commission could approve the application with or without conditions, or deny it. If the application is denied the proposal will not be able to go forward.
Additional Details: 3725 Stillwater Court is a duplex condominium. The applicant has stated that he is a cigar enthusiast and would like to purchase cigars wholesale, primarily for his personal use, rather than buying them from a retail store. He plans to sell small quantities of cigars to family and friends only. He will store cigars at his house, but he will personally deliver any sales. In order to purchase cigars from a distributor, the applicant needs a Cigarette and Tobacco Products Retailer License, which will be reviewed by the Ordinance and License Committee. The license cannot be approved unless the business is permitted by the zoning code, or has a Conditional Use Permit where applicable. Home based businesses can either be categorized as a Home Occupation, or a Home Industry, which requires a Conditional Use Permit. In most cases a business on the scale that the applicant has described would be a Home Occupation. However, the zoning code states that any business which involves storing or selling any stock in trade unless it is made on the premises must be considered a Home Industry.



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What is the Strategic Plan Priority this item relates to:

People-Centered Development

What impact will this item have on the Strategic Plan Priority?

The Plan Commission must balance the applicant's desire to operate a business at his home with his neighbors' interest in maintaining the residential character of the neighborhood.

Financial Remarks: No direct financial impact to the City.

Executive Recommendation: Staff recommends approval of a Conditional Use Permit for James Guenther Cigars as a Home Industry at 3725 Stillwater Circle. with the following conditions:

- The business must operate as described. Sales of cigars must be by delivery only. No sales are permitted on-site and no large assemblies of cigar smokers are allowed.
- This approval is for James Guenther Cigars only. A different tobacco business at the property will need a new Conditional Use Permit. Any expansion of the business beyond what is described in the application will also require additional review.

Recommended Motion: "I move to approve a Conditional Use Permit for James Guenther Cigars to operate as a Home Industry at 3725 Stillwater Circle with all staff comments to be addressed."

Reviewed By:

Reviewer #1 Name & Title	Reviewer Signature
Reviewer #1 Name & Title	Reviewer Signature
City Administrator	Reviewer Signature