

**PLAN COMMISSION  
MEETING MINUTES  
Monday, February 1, 2016**

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Meeting was called to order at 7:02 p.m. by Mr. Palmer

**1. Roll Call.**

Present: Mr. Cashin, Mr. Higgins (arrived at 7:05 pm), Ms. Hunter, Mr. Kujawa, Mr. Long, Mr. Nelson and Mr. Palmer

Absent: None

Also Present: Mr. Griffiths, Attorney de La Mora, and applicants.

**2. Review and act on Plan Commission regular meeting minutes dated January 3, 2016**

Ms. Hunter motioned and Mr. Nelson seconded to approve the minutes as submitted. Motion carried 6-0.

**3. Review and act on a request for a demolition permit for a single family residential home located at 1825 San Fernando Drive pursuant to §106-11 to §106-19.**

Pat Seegers from Ascent Builders representing the property owners was present.

Mr. Palmer asked if anything had changed from what was submitted. Mr. Seegers stated nothing had changed. Mr. Palmer asked staff if there were any additional items. Mr. Griffiths noted that the required bonds still needed to be submitted, in addition to some revisions to the survey.

Mr. Nelson noted the proximity of the site to Underwood Creek and historical flooding issues. Mr. Griffiths noted that the proposed building is outside the floodplain and also outside wetlands, which were delineated in 2012. Mr. Seegers noted that they have applied for a Chapter 30 permit from the DNR, due to the amount of grading work needing to be done in proximity to Underwood Creek.

Mr. Higgins arrived.

Ms. Hunter motioned and Mr. Cashin seconded to approve the demolition permit as submitted. Motion carried 7-0.

**4. Review and act on a request for a plan of operation for Remedy Within, LLC pursuant to §335-85 and a conditional use permit pursuant to §335-86 for a massage parlor, pursuant to §335-22C(10) located in the B-1 Local Business District at 15285 Watertown Plank Road.**

Tammi Kapitanski, owner of Remedy Within, LLC was present.

Ms. Kapitanski noted that her business was relocating back to Elm Grove after five years. She had previously been located in the Denny Building on Watertown Plank Road. She is currently moving to Elm Grove from 92<sup>nd</sup> Street and Bluemound Road in the City of Milwaukee.

Mr. Palmer asked if staff is recommending approval of the proposed plan of operation and conditional use permit. Mr. Griffiths noted that staff is recommending approval and there are no issues with either the plan of operation or the conditional use permit. Notices went out to neighboring properties without any comments from the property owners.

Mr. Higgins motioned and Mr. Nelson seconded to approve the plan of operation and recommend approval of the conditional use permit to the Board of Trustees. Motion carried 7-0.

## **5. Other Business**

Mr. Griffiths stated that an issue had been recently brought to the attention of staff regarding the zoning of the Autumn Grove Plaza property, 12850-12960 Bluemound Road. During the redevelopment of the property in 2003 it was rezoned from B-3 Mid-Rise Office and Professional District to B-1 Local Business District. It was discovered that an error occurred with the zoning map, whereby the property's zoning on the map did not change. Subsequently, businesses that require conditional use permits have been operating without them. The current owners of the property are selling it and the potential buyer would like to close at the end of February. However, the buyer's lender has concerns about the unresolved situation and the buyer is unsure if they can secure financing with these issues unresolved. Staff has discussed the matter and would like to have a special Plan Commission meeting to review the conditional use permits to allow for their review at the February Board of Trustee meeting.

Mr. Palmer stated that he was fine with holding a special Plan Commission meeting. The consensus of the Plan Commission was to have a special meeting with Mr. Griffiths scheduling that meeting through email.

## **6. Adjournment**

Mr. Higgins motioned and Mr. Long seconded to adjourn the meeting. Motion carried 7-0.

Meeting adjourned at 7:12 p.m.

Respectfully Submitted,

Casey Griffiths  
Zoning & Planning Administrator/  
Assistant to the Village Manager