

**PLAN COMMISSION
MEETING MINUTES
Tuesday, May 8, 2018**

Meeting was called to order at 7:00 p.m. by President Palmer

1. Roll Call.

Present: President Palmer, Mr. Michalski, Mr. Reineke, Mr. Cashin, Mr. Kujawa, Mr. Jodie,

Absent: Mr. Long

Also Present: Thomas Harrigan, Zoning and Planning Administrator, David De Angelis, Village Manager, Hector de la Mora, Village Attorney, and applicants.

2. Review and act on Plan Commission regular meeting minutes dated Monday April 2nd, 2018.

Mr. Michalski motioned and Mr. Cashin seconded to approve the meeting minutes. Motion carried 6-0

President Palmer motioned and Mr. Michalski seconded to move agenda item number 6 to number 3. Motion carried 6-0.

3. Review and provide recommendation on the conceptual redevelopment proposal to be located at 13040 Bluemound Road.

Philip Schultz, of Horizon Development, William Rutherford, of Horizon Development and Dale Streitenberger were in attendance before the Commission.

Mr. Schultz introduced his team and explained that Horizon Development has 34 years of experience in senior housing. Horizon Development consists of three companies. A development group, a construction group and a property management company that manages the senior housing. This particular senior housing proposal would only be available to those over the age of fifty-five.

The development proposal is for a 75 unit apartment building that is a combination of 3-4 stories. There would be both underground and above surface parking including and a club room for the residents. There would be a variety of one and two bedroom units with nine foot ceilings and luxury finishes which would be classified as high quality construction. Typically within the Horizon senior housing developments, only about 75% of the residents own automobiles. Over the entire horizon portfolio of developments of 2,700 apartment units, the average tenancy in any building will be 80% single women, 10% single men and 10% couples. The average age at move-in is 76 years old and the average tenancy is 15 years. Therefore the average occupancy per unit is 1.1 persons per unit. Therefore, it is preferred to consider density in terms of people, not number of units. Within the proposed development, there would be about 80 people residing.

Mr. Streitenberger provided a summary of the conceptual architectural plans.

Mr. Schultz identified traffic as a main concern of the current Emerald Woods Condominium owners. The proposed development would replace the existing 26 foot asphalt driveway and replace it with a 30 foot in width driveway. Also, the driveway approach on Bluemound road would be widened to 36 feet to improve ingress and egress of the properties.

President Palmer reminded the commission this meeting is just the first step in what could potentially be a year long review process for the proposed development and the first step is strictly for conceptual review.

Mr. Kujawa thanked Horizon Development for considering Elm Grove.

Mr. Cashin asked if the preliminary civil site plan has reviewed to total impervious surface percentages for the proposed development.

Mr. Schultz stated the impervious surface calculations are still in the early planning stages, but there is firm understanding of what the limitations are in the Village.

Mr. Michalski asked how Horizon Development ensures the residents of the senior housing meet the minimum age for occupancy.

Mr. Schulz commented that federal law allows for specific buildings to be designated for people fifty-five and over. The developer is then required to maintain that requirement per federal law.

Mr. Jodie asked if it would be possible for the proposed development to have more than one access point in and out of the property.

Mr. Schulz noted the site only has one existing legal access. There was consideration of creating a second access from the west, however there is an existing parking deck which serves 500 Elm Grove Road and would prevent access to 13040 Bluemound Rd.

Mr. Jodie stated that he would be interested in seeing a bit more creativity from Horizon Development in proposing a second access point to the site.

Mr. Kujawa asked if the proposed building extends farther in front of the existing neighboring buildings on Bluemound Road.

Mr. Schulz stated the proposed building would have the same setback as the other buildings or even be set farther back from Bluemound Road.

Mr. Kujawa recommended that moving forward, Horizon provide more context in the review plans in terms of roof lines of neighboring properties so that a more accurate perspective can be assessed.

President Palmer noted it would be helpful to see a perspective which demonstrated the proposed building looking from Elm Grove Road looking east with the building at 500 Elm Grove Road included in the perspective for comparison purposes.

Mr. Reineke asked if any of the engineering design work as been completed as it relates to the sanitary sewer that may need to be relocated onsite.

Mr. Schulz stated the engineering design is only in the preliminary stages at this time.

President Palmer opened the floor for questions from the public.

Sue Ross, 12980 W. Bluemound Road, commented that she lives in Douglas Plaza, the oldest Condominium development in Elm Grove. She stated that it is a positive thing that Horizon has had discussions with the Emerald Woods Condominium complex, but they should also be communicating with the Douglas Plaza condominium owners as well.

Patricia Seabers, lives in Emerald Woods, and her condo is closest to the Creek. She feels the Village and Horizon are conducting through planning and that is greatly appreciated. The proposal to widen the driveway and extend the sidewalk down the entrance road is an excellent idea. However, the way the site plan is currently configured, the side walk is adjacent to the road. This will make

snow removal very difficult in the winter time. Also, several of the Elm Trees on site are just beginning to have substantial growth, there should be care taken to preserve these specific trees.

Susan Stewart, Condominium President of Douglas Plaza, stated that the condo association is concerned regarding the stormwater management and potential flooding in the area.

After seeing no other comments from the public, President Palmer closed this section of the meeting.

Mr. De Angelis suggested the Plan Move the Fairfield Court Item up as the next agenda item.

4. Review and act on a request by Bill Carity for approval to redevelop the vacant lot located at 13865 Fairfield Court into a single family home.

Bill Carity was present before the Commission.

President Palmer summarized the background of this proposal for the Plan Commission members who were not in attendance the previous time Mr. Carity presented his conceptual plan.

Mr. Carity stated he has been working with the owner of the vacant lot, Daryl Pilgreen, and he is now partnering on the project with Mike Critzer, who was peripheral to the development of the subdivision. The intention is to excavate the property and remove and remaining demolition materials that were left onsite from demolition of the former Leland School. There have been multiple soil borings and soils analysis done on site and there have been no findings for asbestos or any contaminants. Attorney Hector de la Mora had suggested the State DNR issued Historic Fill Site Permit be amended in order to allow for any clean concrete found onsite to be used for construction purposes of any new development, namely new landscaping berms (nonstructural areas). Since the last meeting, redevelopment costs have been generated and provided for the Commissions review. It was determined at the last meeting that the Village would engage with an environmental engineering firm to monitor the excavation process in order to qualify if there is any contamination on site. It is this component that needs to be addressed and clarified in order to proceed with the proposal. Rather than have an environmental engineer site on site for an eight hour day while the excavation is occurring, it is Mr. Carity's hope that the review may be able to happen on a "spot" basis.

President Palmer noted there is no agreement in place at this point and the concept was for the Village to have an independent onsite to monitor the process. President Palmer suggested the Village staff work with Ruekert & Mielke in order to determine if the firm would be able to provide this service or would need work with another firm in order to provide this service.

Mr. Carity stated that he has expectations to pay for the discussed monitoring service. Also he mentioned that he does not building on the lot, only to see the property through the soil remediation, prepping the site and then offering the lot for sale.

President Palmer noted that in preliminary discussions at the last Plan Commission meeting it was stated that the intention for the clean concrete found onsite during the excavation would be used to construct landscaping berms along Sunny Slope Road.

Mr. Carity explained that in the first round of permitting the intention to use the existing concrete onsite was not expressed, this has been clarified and the WDNR has approved of such use. Mr. Carity stated that at this time he would request a fill permit from the Village and is willing to adhere to any other requirement the Village asks for such as a development agreement.

Attorney de la Mora stated that he had raised a question previously as to whether there would be a site plan prepared as to where the footprint of the house would be placed, including the location of a well.

Mr. Carity noted this information is already available as an exhibit on the development proposal package.

President Palmer commented that it would make sense for the final development agreement to be recorded with the property deed so that all the information will be available for future property owners.

Mr. De Angelis noted that in order for this proposal to move forward, the Commission has to take specific action allowing for the use and replacement of the fill material on site. Then staff can draft the fill permit which will state all the various conditions discussed at the Plan Commission.

President Palmer asked if the Village will need the specific fill description, both mass and type.

Mr. De Angelis commented that Mr. Carity will have to provide estimates as to what that will be.

Mr. Kujawa moved and Mr. Cashin seconded to act on a proposal to allow for the use of clean fill on site pursuant to a fill permit issued by staff and the clean fill can include clean concrete uncovered during the excavation.

Mr. Reineke asked Mr. Carity if the soil management plan has been approved by the WDNR under NR-718. Mr. Reineke explained NR-718 is basically the soil management plan and verification there is permission to reuse. The historic fill exemption provides approval to build on the historic fill site, however he does not see the soil management plan approval which states you have the ability to treat and reuse the concrete. Mr. Reineke notes that the NR-718 permit was filled out, but it does not state if it has been approved.

President Palmer noted that Mr. Carity will need to determine with the WDNR as to whether a NR-718 permit will be required for the project.

Motion carried 6-0.

5. Review and act on a request for a plan of operation for Zisters Restaurant pursuant to §335-85, a conditional use permit pursuant to §335-22C(18) for the use of permeable surface materials to exceed the allowable percentage of maximum impervious surface area in the B-1 zoning district, and for a site plan parking

amendment pursuant to §335-32L to allow for adjustments to the minimum number of parking spaces required.

This item was tabled by the Plan Commission as there were no representatives in attendance to represent this item.

6. Review and act on a request for a demolition permit for a single family residential home located at 14225 Hillside Road pursuant to §106-11 to §106-19.

This item has been reschedule for review and consideration on May 23rd at noon in the Park View Room of Village Hall.

5. Other Business

None

8. Adjournment

Mr. Cashin motioned and Mr. Kujawa seconded to adjourn the meeting. Motion carried 6-0.

Meeting adjourned at 8:32 p.m.
Respectfully Submitted

Thomas Harrigan
Zoning and Planning Administrator/Assistant to the Village Manager