

**PLAN COMMISSION
MEETING MINUTES
Monday, March 7, 2016**

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

1. Roll Call.

Present: Mr. Cashin, Mr. Higgins, Ms. Hunter, Mr. Kujawa, Mr. Long, Mr. Nelson and Mr. Palmer

Absent: None

Also Present: Mr. De Angelis, Mr. Griffiths, Attorney de La Mora, applicants and members of the public.

2. Review and act on Plan Commission regular meeting minutes dated February 1, 2016 and special meeting minutes dated February 9, 2016

Mr. Long motioned and Mr. Higgins seconded to approve the minutes as submitted. Motion carried 7-0.

3. Review and act on a request for a plan of operation for Van Westen Orthodontics, LLC pursuant to §335-85, for a dental clinic located in the B-1 Local Business District at 12850-12950 Bluemound Road.

Luciana Van Westen, owner of the business was present before the Commission.

Mr. Palmer asked if any changes had been made to the submitted application. Ms. Van Westen noted that the hours of operation for Friday would be 10:00 a.m. to 6:00 p.m.

Mr. Cashin motioned and Ms. Hunter seconded to approve the plan of operation as submitted. Motion carried 7-0.

4. Review and provide a recommendation regarding the certified survey map pursuant to §305-8 regarding the combination of parcels at 705 Elm Grove Road.

Laura and Kurt Goranson, property owners, were present before the Commission.

Mr. Palmer noted that this had come before the Plan Commission before as a demolition permit and as policy after discovering that there were actually two parcels listed, the owners were requested to provide a CSM to combine the two parcels.

Mr. Palmer asked if there were any issues with the proposed CSM. Mr. Griffiths noted that the Ruekert & Mielke has reviewed the CSM and there are no issues.

Mr. Kujawa motioned and Mr. Long seconded to recommend approval of the certified survey map to the Board of Trustees. Motion carried 7-0.

5. Review and act on a request for a demolition for for a single family residential home located at 1850 Fairfax Drive pursuant to §106-11 to §106-19.

Mr. Palmer asked if all the issues with the submittal materials had been addressed. Mr. Griffiths noted that they had.

Mr. Long noted that on the Ruekert & Mielke letter under item one it should be listed as “water tight” for the sewer lateral.

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

6. Review and act on a request for a temporary plan of operation for Alsum Sweet Cord, pursuant to §335-85, for a temporary vegetable stand, located at 12600 Bluemound Road.
Scott and Lona Alsum were present before the Commission.

Mr. Palmer noted that the proposed site would be used for the spring, summer and fall and is on Village property which requires that the Plan Commission review the application.

Mr. Palmer asked when they would anticipate opening the stand. Mr. Alsum stated that they would like to start the first week of July and be done at the end of October.

Ms. Hunter asked if there would be signage for the stand. Mr. Alsum stated that they plan to put up temporary signs. Mr. Palmer noted that they would need to work with Village staff to secure the appropriate permits.

Mr. Nelson asked if the Elm Grove Soccer Club had been contacted and if there were any issues with parking. Mr. De Angelis stated that the club had been contacted and that primarily the south facility was used for soccer practice, as such the club did not anticipate conflicts with parking.

Mr. Nelson asked if they planned to have this be a multi-year operation. Mr. Alsum stated that he would like it to be.

Attorney de la Mora stated that an amendment to the Village ordinances would be need to allow for sales in the park, as well as a lease agreement between the Village and the vendor.

Mr. Long motioned and Mr. Kujawa seconded to approve the temporary plan of operation as submitted. Motion carried 7-0.

Mr. Higgins recused himself from the meeting at 7:11 p.m.

7. Conceptual review and discussion of a proposed rezoning and development project by Wangard Partners Incorporated and R & R Investments of Wisconsin, LLC to provide a multiple family development at 13400 Watertown Plank Road.

Mr. Palmer stated that the discussion for the meeting outlines the proposed development and to begin the process. The meeting is designed for conceptual review to solicit comments from the Plan Commission and also the public. After the meeting the developer may choose to file exactly what is presented during conceptual review, may decide to not file anything and remove the proposal or may refile a different proposal. This particular meeting is the first in many potential steps in the process and no action on the item is to be taken at the meeting.

Stewart Wangard, Wayne Wiertzema and Emily Pier of Wangard Partners, Inc. and Wayne Higgins of Traffic Engineering Services were present before the Plan Commission.

Ms. Pier provided an overview of the proposed project. The proposal is for multiple family residential with 182 units, with four apartment buildings between four and three stories and a six unit townhome building. Each apartment building will have a variety of unit styles from studio apartments to two bedroom apartments. Rents will range from \$1100 to \$3500 a month, with anticipated annual incomes of residents between \$45,000 and \$125,000. The anticipated draw of residents to these apartments would be nearby business parks as well as the Milwaukee Regional Medical Center Campus. The units are configured in such a way, where a resident who signs a long term lease would be able to combine units.

Mr. Wiertzema stated that the site plans include a drop off area along Elm Grove Road. The project proposes an enhanced density of 22 units per acre. The proposal is seeking an enhanced density as it allows for a better utilization of the property. There is extensive soil management and clean up that

needs to occur. The architectural styles of the proposed buildings were determined based upon a survey of the existing housing stock in the Village and the proposed development's design fits well into the neighborhood.

Mr. Wangard stated that the proposed building would be three to four stories in height and presented a rendering showing the heights for the proposed buildings in comparison to other buildings in the Village including the Mill Place Shops, Watermark Condominiums and School Sisters of Notre Dame.

Mr. Higgins presented the traffic impact analysis study. In modeling the proposed development traffic did not significantly change from current conditions along Watertown Plank Road and Elm Grove Road. The study showed that a total of 720 new trips would be generated from the proposed development, which include roughly 360 cars in and 360 cars out. Peak hours including morning and afternoon were surveyed and modeled.

Ms. Hunter asked about the ingress and egress proposed along Elm Grove Road. Mr. Higgins stated that the proposal included full ingress and egress onto Elm Grove Road.

Mr. Palmer asked, based on the number of units and cars, does the proposed development create a significant degradation of traffic flow? Mr. Higgins stated that traffic flow remains much as it does currently.

Mr. Cashin asked if the number of current trips from the property is known. Mr. Higgins stated that there was not an accurate count done due to various construction projects in the area, but that Reinders has not been completely occupied during those windows. Ms. Hunter noted that it would make sense to have the current traffic conditions.

Mr. Nelson noted that Elm Grove Road is in poor condition due to the underlying soil, and questioned if additional traffic would hurt the road. Mr. Higgins noted that the number of cars projected on Elm Grove Road would be an additional dozen or so in either direction, which amounts to a slight increase.

Attorney de la Mora provided clarification of Mr. Higgin's role with the proposed development and his membership on the Plan Commission, noting that Mr. Higgins has served the Plan Commission for several years in an unpaid role and that his expertise in the field of traffic engineering has meant that he has been hired as a consultant on several development projects that have been presented before the Village. Attorney de la Mora asked Mr. Higgins to clarify that he will not be participating in any of the discussions or presentations before the Plan Commission regarding this project and that he will not participate in any votes regarding this project. Mr. Higgins stated that he would not be participating in any discussion or votes on the proposed project.

Mr. Wiertzema stated that the proposed project would be requesting tax incremental financing. The proposed project would eliminate blight, invest \$40 million into the Village, improve environmental conditions on the property and would extend municipal water to service a larger area of the Village.

Ms. Hunter asked how deep the site would need to be excavated. Mr. Wiertzema stated that they would not need to get rid of all the soil on the property, but certain soil would need to be removed, transported off the site and disposed of properly.

Mr. Palmer noted that TIF is eligible for certain development projects to help sites that are generally not developable. A development project can be approved without a TIF, and the Village in its due diligence would be reviewing any proposed TIF request if the project were to move forward.

Mr. Palmer summarized the current conditions of the property as well as the Village's position of the future of the site. The site is currently zoned for manufacturing and industrial use and if an owner wanted to come in and use it for such a use it would be allowable. The Village has wanted a development on this particular parcel, as the feeling is that it is currently underutilized. The process for review, including the development timeline and potential rezoning is the same as that which occurred with the Watermark Condominium project.

Ms. Hunter questioned why the proposal chose to go with rental units rather than owner occupied condos. Mr. Wangard stated that the condo market had crashed in 2006 and 2007, in addition to that financing rules have changed. Townhome- side by side condo styles are still relatively easy to obtaining financing for, however financing becomes difficult once a proposed condo project goes vertical and goes higher. The second change that occurred was in the desire of people to rent. There is a trend with luxury apartments, where a tenant will sign a long term lease as they don't want to deal with home ownership.

Ms. Hunter stated that she has a concern with the density and heights of the four story buildings, specifically the massing as compared to the neighborhood. Mr. Wangard stated that they were flexible to changing the size and density.

Mr. Palmer noted that people had presumed that a proposal for the redevelopment of the site was to include development of the two existing commercial properties along Watertown Plank Road. Mr. Palmer asked why this particular portion was off the table. Mr. Wangard stated that in negotiations this was considered a separate development. The proposed residential development contemplates a commercial development in the future and that in order to have healthy commercial development, density is needed.

Ms. Hunter questioned what would happen to the trees with the proposed vacation of the right of way. Mr. Wangard stated that a tree study had been done where each tree was identified. Trees that are healthy will remain and trees that are not healthy will be removed. The trees that are removed will be replaced with new trees.

Mr. Kujawa asked about the width of the road and the right of way vacation. Mr. De Angelis stated that the right of way width is 100 feet, while the road width is between 21 and 22 feet.

Mr. Nelson noted that there had been contemplation of a possible pathway along the creek to link the Village Park to the downtown, but the proposal only has a pathway along Elm Grove Road. Mr. Wangard stated that they had not looked into a pathway along the creek.

Ms. Hunter asked about the retaining wall on the east side of the property. Mr. Wiertzema noted that the wall is needed to protect the land due to the grade difference between the property and the rail road right of way.

Mr. Palmer provided a question from a resident who was unable to be in attendance at the meeting, wondering if the two four story buildings could have been reduced in size to three stories which would still allow for 155 units. Mr. Wangard stated that this was a possibility and that Building B would have its ends reduced to three stories with four stories in the middle. The consideration about reducing size though is that this is the last parcel of this size in the Village, and to shrink it would be less value, but the proposal could be adjusted accordingly.

Mr. Kujawa questioned the size of the roof and attic space on Building A would make the building appear to be five stories. Mr. Wangard stated that the backsides have exposed foundations, which means that they appear to have five stories. Buildings C and D have a lower pitched roof, while Buildings A and B have higher pitches, the desire was to not have all the buildings appear the same.

Ms. Hunter asked if the concerns of the fire chief would be addressed. Mr. Wiertzema stated that their engineering firm has looked at those concerns and is addressing them.

Mr. Palmer opened the floor to comments from members of the public.

Kevin Stone, 1905 Fairfax Drive

Stated that the proposal was good for the Village, but needed to be tweaked. He also stated his concern that Townanda Elementary would be pushed over the edge on the number of students.

Tom Herzog, 1505 Church Street

Stated that he has concerns with the proposal as developers will want as much as they can get. The proposal is not in the best interests of the Village and that the Village should not allow this type of development. A better proposal would be one that is owner occupied, mixed use commercial and not as dense. The Watermark is an example of a high end development while this proposal is not. TIF financing should not be used as Reinders is still a viable company and should pay for the environmental clean-up. There is no indication of how many trees will be taken down and the water-main is of no benefit to the Village.

Tadeo and Crystal Balderrama, 920 Katherine Drive

Stated that both are doctors as the Regional Medical Center and that they chose to live in Elm Grove because it's a special place. The maximum density of the proposal is not Elm Grove. Single people from the Medical College referenced in the developer's proposal would not be interested in living in Elm Grove. Medical students are not interested in renting at the rates proposed by the developer. The elevation of the path along Elm Grove Road is not clear if it will be at the same level of road and the only advantage to the proposal is the inclusion of the path.

Mike Noel, 865 Morningside Lane

Stated that he moved to the Village for the quaintness, and that this does fit that concept. Concerned about the image that it creates and that it will take away from Elm Grove's quaintness. TIF should not be used as the Reinders should pay for it.

Tim Klein, 13125 Dunwoody Drive

Stated that the problem with the proposal is the apartments, as it's a different type of resident and will change the community.

Bob Haushalter, 13245 Lee Court.

Questioned how wide Elm Grove Road would need to be for traffic. Mr. Palmer noted that there was no proposal to widen Elm Grove Road at this time.

Mr. Haushalter asked if the study looked at rush hour times. Mr. Higgins stated that the peak times observed were 6 to 9 am and 3 to 6 pm.

Adam Berger, 925 Katherine Drive

Stated that the Reinders property needs development but that it also needs limits. Appreciative that a proposal was brought forward, but that the Village should aspire to something more in this location. Does not want Elm Grove to stray too far from its essence. Traffic study understates the impact. Concerned about the level of soil contamination, and that Reinders can solve the problem that they created. Not sure if the Village should be looking at maximum return. Fears that the school system would be impacted and concern about possible TIF financing.

Brent Barg, 13830 Wraybrun

The traffic study should have more data. The elevations of Watertown Plank Road and Juneau Boulevard are much different than the elevations on the proposed site, and the proposal will stand out like a sore thumb. Elm Grove Road will not be able to handle the increased traffic volumes.

Questions about Mr. Higgin's role in this review of the proposal. Attorney de la Mora clarified that Mr. Higgins would recuse himself on these matters and that there would be no meetings in closed session.

Deb Halada, 13645 Underwood River Parkway

Stated concern that this would not tie the park with downtown. Her daughter was upset about the proposed apartment complex and the dynamics of the pathways from the downtown to the park.

Mark McSorley, 1505 Sunset Drive

Stated that the density is too high and questioned the density figures presented by the developer. The actual area of development is only six acres and not eight acres as claimed and they are underselling the density. Questioned whether the proposed project would be able to handle storm water.

Mr. De Angelis stated that the development included the Mill Place Shops property as part of the proposal which is consistent with the Mixed Compatible Use Planned Development Overlay.

Mr. Wiertzema stated that the proposal would be able to handle storm water.

Jim Koleski, 940 Katherine Drive

Stated that he did not believe that this was a listening session for the Plan Commission to get residents feedback. Questioned Mr. Palmer's willingness to hear residents and believes that the Commission's mind is already made up on this particular project. Believes that the Commission and Village Board should not take a position against its residents.

Betsy Haushalter, 12345 Lee Court

Stated that she believes that this proposal would be urbanizing Elm Grove, and that's not what Elm Grove residents want. Cars will be forced onto a narrow road and it's dangerous to have additional traffic on the road. People would be more in favor of condos with a den. Stated her concerns about the contaminated soil and the affect that it will have on residential properties to the west.

Rick Fronberry, 1025 Lower Ridgeway

Stated that people don't understand the development review process, and that there has been no communication from the Village on this proposal. Noted that people can sign up for emails for multiple Village items, but there was not anything regarding this proposal. There needs to be better communication from the Village. Any density allowed above 8 units per acre is a bonus and that the Village has the ability to look at the quality of the project. Other multi-family developments are of a better quality than this one, as they have more underground parking and with no surface parking. This proposal will not have a high end residential feel.

Linda Tampa, 13840 Bluemound Road

Questioned the traffic report, specifically the range of grades for proposed traffic flows, does going from a C+ to a C- rating really good for a small community like Elm Grove. The proposal would make the property look more urban. Noted that her husband's family is from a Chicago suburb that had multiple multi-family developments and now the community does not look the same as it once did. Stated part of the charm of Elm Grove is that it's close to the city with a rural feel.

Ted Eull, 1610 Legion Drive

Stated that he wants the population of the Village to grow, and that developers are going to attempt to develop as much as they can, however there should not be any compromise. Believes that there are limited opportunities to do development, however this development is a nonstarter.

Mark Reinders, R&R Investments of Wisconsin, LLC

Stated that the Reinders Company no longer owns the property. There are studio apartments above the Elm Building which he has rented out in the past to people who would like to stay in Elm Grove, but for various reasons are not able to do so. Many of his business tenants in the Mill Place Shops and Elm Building struggle and that R&R Investments has subsidized them so that they can stay in business. The Reinders family has worked with various developers over several years and found Wangard as a developer that shared their vision for the property.

Jim Nortman, 1700 Notre Dame Blvd.

Stated that the existing retail buildings had been discussed in the past as part of the proposed development but are not in this proposal, as well as a four way intersection at Elm Grove Road and Watertown Plank Road. Apartments are the best option in this location, as the Village does not want the property to return to industrial use, but the questions remain about the density level. More vehicles should be in enclosed parking and there should be more greenspace. The project makes sense but not as currently proposed.

Ed Dugan, 13245 Gremoor Drive

Stated that he had tried to find information on the Village's website and had to go outside of the website to find anything. Concerned with the lack of play facilities for kids on the property. Stated concern about the railroad crossing at Juneau Boulevard and children going to the park. Concerned about the impact that the increased number of people will have on park facilities and schools. Asked if there are elevations comparing the new buildings to the immediate neighborhood and if there are opportunities to have multiple proposals brought forward.

Lisa Elliot, 1180 Woodland Avenue

Stated that she is the owner of RJ's Ice Cream in the Mill Place Shops, and that she bought the business because it was going to close. Stated that the Village wants a healthy business district, and that we need population growth to keep businesses growing. Concerned about the traffic flow through the property. Stated that she was appreciative that the Reinders stayed when the property could have been sold.

Ms. Hunter asked if residents could receive Mr. Wangard's contact information. Mr. Wangard stated that residents could email comments to him at swangard@wangard.com.

Mr. Kujawa noted that this proposal was a first time that it had been in front of the Plan Commission, and that the Plan Commissioners had only received the application materials one week before the meeting. Mr. Kujawa further noted that he will be recusing himself from the discussion and voting due to his business doing business with R&R Investments and Wangard Partners.

8. Other Business

None

9. Adjournment

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

Meeting adjourned at 10:01 p.m.

Respectfully Submitted,

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