

**PLAN COMMISSION
MEETING MINUTES
Monday, June 6, 2022**

Meeting was called to order at 6:00 P.M. by President Palmer

1. Roll Call.

President Palmer - Absent
Mr. Michalski – Chair Pro Tem
Mrs. Schneider
Mr. Cashin
Mr. Reineke
Mrs. Wynia-Smith - Absent
Mr. Kujawa
Thomas Harrigan, Assistant Village Manager/Zoning Administrator
David De Angelis, Village Manager
Hector de la Mora, Village Attorney

2. Review and act on meeting minutes dated 5/2/22.

MR. REINEKE MOTIONED TO APPROVE, MR. CASHIN SECONDED. MOTION CARRIED 5-0.

3. Review and act on a request for a demolition permit for a single family residential home located at 1400 Woodlawn Circle, pursuant to §106-11 to §106-14.

Caleb Vredenbregt, of Flatwater Homes was present before the Commission.

Mr. Cashin asked if the property had undergone a lot combination in the past.

Mr. De Angelis confirmed the lot combination was finalized approximately 12 years ago.

Mr. Michalski asked if anything in the demolition permit application has changed since being submitted.

Mr. Vredenbregt stated that nothing has changed.

MR. CASHIN MOTIONED TO APPROVE THE DEMOLITION PERMIT CONTINGENT UPON ALL OUTSTANDING ITEMS WITHIN THE RUEKERT & MIELKE ENGINEERING REVIEW BEING COMPLETED, SUBJECT TO TECHNICAL CORRECTION, MRS. SCHNEIDER SECONDED. MOTION CARRIED 5-0.

4. Conceptual review for a potential change of use at 14625 Watertown Plank Road, for Tiny Green Trees, Nature Based Child Care Center & Forest School.

Attorney Steven Schmuki, representing the owners of Tiny Green Trees, was present before the Commission.

Mr. Schmuki summarized the request for a preschool daycare operation, and reviewed the proposed business plan. A marketing analysis has been completed by the applicant, based on observations and available data. The site plan submitted to the Commission is in draft format. Attorney Schmuki explained his goal is to obtain the advice and direction from the Village legal counsel and the Commission as how to best pursue this request.

The property is currently zoned as I-1 Institutional Use.

Attorney Schmuki indicated the best care scenario, from his clients stand point would be to rezone the property to B-2 zoning.

Mr. De Angelis noted the current use is the church, thus the I-1 Zoning. The proposed daycare is an accessory use of the existing principal use. Principal use for daycares is not allowed in I-1, thus the request for amendment to B-2.

Mr. Kujawa asked if the church is still operating on the property.

Mr. Schmuki indicated it is still there but would be considered a light use.

Mr. Michalski asked if the entire property would be used for business purposes.

Attorney Schmuki stated it will not be entirely a school facility, but mostly.

Attorney de la Mora commented that the applicants are proposing to offer a service that is need statewide. The question the Commission must think about, in the context of this residential neighborhood, is it an appropriate re-zoning to establish there. The next commercial activity does not occur until you go further west toward Pilgrim Parkway.

Mr. Michalski asked if the property is zoned to a business district, what position does that put the surrounding residents in if an alternate permitted use within the B-3 zoning district were to move in.

Mr. De Angelis noted that once its zoned to business district, there is a certain vested interest by right. The new business would only need to meet minimum criteria as far as future use.

Mr. Cashin asked if the intention is to utilize Wisconsin Avenue for drop-off and pickup for the day care.

Attorney Schmuki indicated that is the initial plan as it would provide the best access to the classrooms for the children.

Attorney de la Mora stated if there are objections from neighbors, perhaps a pickup and drop-off point at Watertown Plank Road can be studied.

Mr. De Angelis noted the Commission could find that under I-1, the commission has authority to determine if the use is compatible for a Conditional Use Permit, making the principal use the daycare.

Attorney de la Mora encouraged the Commission to look at the big picture. Sadly, places of worship are not as supported as in the past. We are recommending policy which should not be driven by the economics of the situation. We have no control over what that value actually is, compared to the potential impacts to the community.

Mr. Kujawa stated he has no problem asserting the Conditional Use Permit approach. Believes it would be a shame to lose the existing architecture of the church if someone were to propose if be torn down.

Attorney de la Mora asked if the applicant is currently the owner, or if there is a pending offer contingent upon entitlement approvals.

Attorney Schmuki indicated there is a pending offer contingent upon Village approvals.

Mr. De Angelis stated with that in mind, you would have to provide the Village a letter assignment to from the current property owner.

Mr. Michalski stated his preference is to keep it as institutional zoning, as we would have more control what would potentially go in to the space with a future re-zoning request.

Attorney Schmuki thanked the Commission for their time and consideration.

5. Review and act on a petition for amendment to the Rm-2 Multiple-Family Residential District, by Horizon Development (13040 W. Bluemound Road), pursuant to §335-77.

Item withdrawn.

6. Other Business

None.

5. Adjournment

MR. KUJAWA MOTIONED TO ADJOURN, SECONDED BY MRS. SCHNEIDER. MOTION CARRIED 5-0.

Meeting adjourned at 7:10 P.M.

Respectfully Submitted,

Thomas Harrigan
Assistant Village Manager /
Zoning Administrator