



**Plan Commission
Meeting Minutes
February 23, 2021**

3930 N. Murray Ave. Village of Shorewood, WI 53211

1. Call to order.

The meeting was called to order at 6:30 p.m.

President Allison Rozek	No
Trustee Kathy Stokebrand - Acting Chair	Aye
Eric Couto	Aye
Therese Klein	Aye
Barbara Kiely Miller	Aye
Sangeeta Patel	Aye
Daniel Wycklendt	Aye

Others present were Village Attorney Nathan Bayer, Planning Director Bart Griepentrog and Planning Administrative Clerk Crystal Kopydlowski.

2. Approval of January 26, 2021 meeting minutes.

Mr. Wycklendt moved to approve the minutes, seconded by Ms. Kiely Miller. Vote 5-0 to approve. Ms. Klein did not vote.

3. Consideration of Parking Special Exception for proposed multi-family redevelopment at properties 2418, 2420 and 2428 E. Capitol Dr., submitted by Catalyst Partners.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission along with a brief slideshow.

He explained the potential redevelopment was intended over three parcels that would be combined into one. All existing structures, which include the Sunseekers building and the single family residence on the corner of Capitol and Stowell, would be demolished to construct a 42 unit multi-family redevelopment that would feature four stories. Up to 20% of the units would be designated affordable housing which equals nine units.

Seventy-four parking spaces are required per code at 1.75 parking spaces per unit. The redevelopment has 43 onsite parking spaces planned and the applicant has indicated that providing 51 total spaces would be sufficient based on the number of bedrooms. Eight additional spaces would be accommodated through the Village on-street parking program.

Trustee Stokebrand ask for confirmation that the house on the corner of Capitol and Stowell was a single family house. Mr. Griepentrog said he did receive a call from a resident confirming that it was a single family home and that he did correct that in the meeting materials. She asked if there are only two property owners in discussions about this project. Mr. Griepentrog confirmed yes.

Mr. Griepentrog provided an overview of recently/previously granted parking special exceptions and explained that most recent multi-family redevelopments were approved as Planned Development Districts. With respect to this development, the developer

believes they can meet all other zoning requirements except for the parking so they have applied for the parking special exception do not believe they need one for anything else such as height, setbacks or density.

Trustee Stokebrand asked if the commercial tenants of previously approved special exceptions did not have as many parking spaces as required by code. Mr. Griepentrog said yes and that along Oakland Avenue many commercial spaces do not have parking attached to them and when spaces are substantially renovated they have to go through this process.

Mr. Griepentrog gave updated information on the parking in the area and identified the daytime parking regulations. Ms. Kiely Miller asked if, with the new building facing Capitol Drive, the tenants are able to purchase parking permits for the congested parking area. Mr. Griepentrog said that at this time residents in multi-family buildings could not purchase them. He did say that the north side of Capitol Drive is included in the residential congested commuter area and that when multi-family residents are allowed to purchase daytime permits they would be able to.

Mr. Griepentrog gave updated information on overnight parking permissions. He said the most congested block is the 4000 block of Downer Avenue. He said the police department was going to confirm these numbers prior to the meeting but could not due to an incident. They plan to confirm the numbers in the coming week. Trustee Stokebrand asked if these are all new permits starting January 1. Mr. Griepentrog said yes.

Mr. Wycklendt asked if the parking estimates are “best case scenario” with people parking perfectly. Mr. Griepentrog said yes and the max capacity is based on 18 feet of curb. Trustee Stokebrand asked if there was parking on both sides of the street. Mr. Griepentrog said there is only parking on the west side of Stowell north of Capitol.

Trustee Stokebrand referenced a letter the commissioners received from a resident with concerns regarding parking. She related to this concern and said that while she favors mass transit and fewer cars the reality is a lot of people use cars to get to work. She has concern for people living in that area with more cars looking for parking because the developer is not meeting what is required. She asked if the parking requirement is something that could change if we do see more car/ride sharing and less car purchases. Mr. Griepentrog said the requirement is a local policy that is not based on any larger standard but what is in place and the Plan Commission could request its change in the future.

Ms. Patel said the development seems to be designed to be self-contained. She said if when a tenant rents a unit they get a parking space and if they need additional than what is offered they are purchasing municipal parking permits or not renting there.

Tom Baade, representing developer Catalyst Partners, said the way they typically develop apartments in most municipalities is one parking space per bedroom because one bedroom units are typically singly occupied and two bedroom units are typically a couple wanting more space. In their buildings you get the opportunity to rent a parking space per bedroom that comes with additional rent so if you don't have a vehicle you save that money. He said this development has 51 total bedrooms and they provide 43 spaces on site so they know they need an additional 8 parking spaces.

Ms. Patel asked if the development is not viable if they did not get the 8 additional spaces. He said it is viable with suggesting the overnight parking passes with the village.

Trustee Stokebrand asked why they don't build down and provide underground parking. Mr. Baade said that construction cost is one factor and physically they spend so much money building the ramp to get down and wipe out a row and a half of parking spaces on the first level and then to make the turn at the bottom of the ramp they do not pick up as many spaces as the dollars dictate they would have to spend. He said they were being sensitive to the neighborhood in the area and staying within the zoning guidelines with not increasing the height of the development. If they would dig down to add parking spaces to offset that they would likely need to add units going up that wouldn't fit with the neighborhood character.

Attorney Nathan Bayer commented on the special exception request before the commissioners. He said the three properties being considered are zoned B-3 and multi-family units are an existing permitted use in the district. He said the only item being considered is the parking special exception/parking regulation. He said for every dwelling unit under Village Code Chapter 535 there needs to be 1.75 parking spaces per dwelling unit and the second part of the special exception is that all parking is required to be in an approved garage. The proposal has 42 units and under the code requirements the development would need 74 parking spaces. The requested exception is two-fold with the request for 43 enclosed stalls and additional 8 spaces on the street for a total of 51 spaces. The special exception is affected by Act 67 that was passed in 2018 and which, in Chapter 62, states that a decision to either grant or deny a special exception must be based upon substantial evidence and if an applicant meets or agrees to meet all of the requirements and conditions identified either in an existing ordinance or as determined by the body then the special exception must be granted. Mr. Bayer explained that per Village Code 535-51B there are 13 conditions to review when considering the special exception.

Ms. Kiely Miller asked how parking spaces will be assigned and if one space will be reserved for the building manager. Mr. Baade said the parking spaces are allocated per unit bedrooms (one bedroom, one parking space) and the last eight people to sign leases would be required to park on the street. He said the spaces are first come first serve and will not be reserved for later leases. He has not considered a parking space for the building manager yet but they will have to consider that. The building manager will be a part time position.

Ms. Kiely Miller asked about the Sunseekers property owner and the large vehicles that are on site and asked where those vehicle will be parked in the event the development moves forward. Mr. Griepentrog said he did not have any information on where they will be parked.

Mr. Wycklendt asked if they should be weighing out other discussions when considering this exception. He said there have been discussions regarding building height limits and asked if those discussions should be considered when reviewing this. Attorney Bayer said to view it through the lens of how the change or exception will impact the Village and whether the granting of the exception will serve a desirable or useful purpose. He also said no other board/committee are needed for advice. He reminded the commission that the proposal meets all other zoning.

Ms. Klein asked about the 5 ADA spaces and asked if there is any flexibility. Mr. Baade said those meet building code requirements. Mr. Griepentrog said the village code can be flexible via this decision and said the building code is more strict and harder to flex.

Ms. Patel asked about the 1.75 space requirement saying it seemed outdated. She doesn't understand the basis for the 1.75 space requirement. Mr. Griepentrog said the

requirement was probably calculated years ago based on current standards. He does not believe 1.75 was crafted with Shorewood in mind specifically.

Mr. Couto asked how much guidance they should take from the Central District Master Plan when making their decision. Mr. Griepentrog said land use and zoning are not the same thing. He said what controls the use in Shorewood is the zoning. Attorney Bayer added that it is the granting of the exception that we are considering.

Ms. Kiely Miller said that in the draft of the Comprehensive Plan this area of the village is described and Mixed Use Main Street and asked if because it is only a draft they cannot use that in considering. Mr. Griepentrog said no they cannot refer to the draft when considering.

Ms. Kiely Miller asked for clarification regarding the setbacks/build-to requirements discussed in the materials and asked if the development is in compliance with the rear setbacks. Mr. Griepentrog said as drafted the development is in compliance with respect to the corner setbacks.

Ms. Kiely Miller asked if any preliminary exterior designs have been considered yet and if there will be screening along the parking area. Mr. Baade said the north wall will be solid along the alley with decorative siding. The entry is off of Stowell and not the alley to lessen impact on neighbors. They have not designed the front of the building yet but the plan is to make it look store-like.

Ms. Kiely Miller asked if the entry and exit is wide enough for two cars at once so as not to back up on Stowell. Mr. Baade said yes.

Ms. Kiely Miller asked if tenants will have reserved spaces so they are not jockeying for spaces. Mr. Baade said parking spaces will be assigned.

Trustee Stokebrand asked at what point would there be concerns about the space being pedestrian friendly with the lower level. Mr. Griepentrog said that currently the Design Review Board would review the ground level screening of the parking space. He said in the future this is where we talk about form-based code and if we move towards form-based standards something to suggest would be specific details regarding ground level screening.

Trustee Stokebrand asked how traffic congestion will be lessened in the B-1 district because of the residential nature and how that will present itself. Mr. Baade said their preliminary discussions with a traffic engineer regarding a trip generation plan showed that the number of people that leave in the morning and return after work is larger and with that there will be far fewer cars in the lot during the day. He also said there will be far fewer short trips each day with a residential property. She asked what they would say to residents who have concerns with the 8 units that will have to park on the street. Mr. Baade said he would refer to the parking numbers that indicated there is sufficient parking available and that there will be less coming and going with a residential property. He said there will not be an impact on traffic but there will be some parking taken. Mr. Baade said that deliveries to the building will be done on Capitol Drive and traffic will be less with the entries to Sunseekers being eliminated also.

Mr. Couto questioned, when looking at 20% of the units being reserved for affordable housing, if parking for those affordable units will be reduced to an affordable rate as well. Mr. Baade said yes and that what they have found is that often those tenants renting the affordable units do not have a vehicle and use public transportation. That makes this site of interest because it is on a bus line.

Ms. Kiely Miller asked if the affordable units will be limited to the smaller units. He said no and they will follow the WHEDA requirements and the next unit available would be considered to meet the threshold.

Ms. Patel asked if conditions could be put on the proposal similar to what was done with Casa de Corazon. Attorney Bayer said reasonable conditions based on substantial evidence can be placed on an approval.

Ms. Klein asked about bike storage. Mr. Baade said they haven't figured that out in terms of layout but per the building code they have to provide bike parking spaces. There is space on the northeast corner near the refuse area and they may need to take some space from the lobby area to accommodate. They also will provide bike storage spaces too.

The meeting was opened to the public.

Trustee Tammy Bockhorst spoke and said the conversation had been very informative. She said the project is exciting and she is inspired by the questions she has heard especially around multimodal transportation and the reduction of car culture. She said the developer does not have to come to the Plan Commission for anything other than a parking special exception and feels the current code is very antiquated.

Trustee Stokebrand said she thinks the issue is congestion and people trying to move about their neighborhood. She asked about other locations the developer has completed or is working on outside of Shorewood and whether those have underground parking. Mr. Baade said they are doing other developments in other municipalities with underground parking. He said the difference between those developments and this one is the parcels are much larger and support more units.

Mr. Wycklendt said he looked into other municipalities parking regulations and said in many communities a studio/one bedroom apartment requires one parking space and two bedroom apartments require one and a half parking spaces. He said there have been many discussions about updating the parking code.

Trustee Stokebrand said that the developer references, within their proposal, the retention of seven full-time equivalent management and maintenance jobs but said that earlier in the meeting the property manager was described as a part time position and asked about the full time equivalent positions. Mr. Baade said this refers largely to the maintenance people and the other workers that come and go very much so on a part time basis but all together add up to the full-time equivalent. He said he does not envision more than two employees on site at any given moment and they will likely park in front of the building.

Ms. Kiely Miller stated she was thankful for the parking data provided and referred to the police department being scheduled to confirm the availability at night. She said she wanted more time to evaluate the numbers and data. Mr. Wycklendt asked if the temporary numbers refer to residents calling in for temporary parking permission. Mr. Griepentrog said yes as some residents use up their 20 parking passes per year in the first few months and then need to purchase permits after. Mr. Wycklendt said it appears those purchasing parking passes is miniscule compared to those calling in temporary overnight parking permission. Mr. Griepentrog said in regards to these blocks he would agree.

Ms. Kiely Miller said the tenants of this development would not be eligible for a daytime parking permit and asked where they would likely park. Mr. Griepentrog said that the tenants would likely need to park on Farwell, Jarvis, Stowell or Richland.

Ms. Kiely Miller moved to defer a decision on the parking special exception for proposed multi-family redevelopment at properties 2418, 2420 and 2428 E. Capitol Drive to allow more time to review the parking data. Seconded by Trustee Stokebrand.

Ms. Patel questioned why there is a concern with daytime parking or congestion. She said that one would assume if you rent there you will park in your space and that the issue is the 8 overnight parking spaces being requested. She agrees the area is congested and understands the 8 additional vehicles could add to that congestion. She asked if a resident who lives in a multi-family building is eligible to buy an overnight parking pass. Mr. Griepentrog said that yes they can as of a change that the Village Board made which began on January 1, 2021.

Ms. Klein questioned the motion to defer the discussion for more time to review the parking. She doesn't believe the police department pinpointing one day worth of data as relevant. Trustee Stokebrand said that it made more sense to allow more time for feedback from the public on a project that will be there for a long time.

Mr. Wycklendt said Ms. Kiely Miller's questions were valid and information is always great and stated there was a lot of information provided in the packet. He said if we want to be friendly to new development and there are clear rules in place it would be nice to put their heads together and make a decision with the information that is in front of them.

Ms. Kiely Miller said she just wants to make sure they are considering every aspect with the redevelopment in regards to condition number one that states "*the effect the granting of the exception will have on adjacent parking and traffic conditions*". She said if the development was in a different part of the village that did not have such restrictive parking she wouldn't need to think about it as much.

Trustee Tammy Bockhorst said she liked the discussion regarding equality and inequality and said renters should not be punished for not conforming to a pro-car culture society and encouraged the Plan Commission to make a decision with the information they have before them.

Ms. Klein questioned what they were deliberating when the shortage was 8 spaces along with the fact that every tenant in this development could apply for on-street parking. She said the issues seemed very small and simple. Ms. Patel agreed that if all can apply for on-street parking then the 8 space shortage does not matter as much. Trustee Stokebrand asked if the limit was 2 overnight parking passes per household. Mr. Griepentrog said yes.

Ms. Kiely Miller confirmed that the exception is the reduction of parking spaces required (31 spaces short) and that they are not all within an approved garage. Mr. Griepentrog said yes. She said if other commissioners feel they have enough information before them she will withdraw her motion.

Ms. Kiely Miller withdrew her motion to defer the item. Trustee Stokebrand withdrew her second.

Mr. Wycklendt moved to approve the parking special exception for proposed multi-family redevelopment at properties 2418, 2420 and 2428 E. Capitol Drive based on meeting the conditions stated in 535-51B. Seconded by Ms. Klein. A roll call vote was taken: Trustee Stokebrand – Aye, Mr. Couto – No, Ms. Klein – Aye, Ms. Kiely Miller – Aye, Ms. Patel – Aye and Mr. Wycklendt – Aye. Vote to approve 5-1.

4. Review of updated draft of the Village's Comprehensive Plan Update.

Mr. Griepentrog introduced the item. He said not much has changed since they discussed the goals, objectives and recommendations last meeting beyond the formatting of the document. He displayed the two maps (Existing Land Use Map and Future Land Use Map) that had been inserted into the plan since the last review.

Ms. Kiely Miller suggested confirming that the pictures included in the plan are current. She also suggested blurring license plates in any pictures and replacing some photos with more current redevelopment pictures. She suggested including pictures of village properties in the intergovernmental chapter.

Trustee Stokebrand said the maps were hard to see and asked if the document will be mostly formatted for online or if some will be published. She also suggested looking at the language in reference to tools on page 128 of the plan. Trustee Stokebrand asked if she could send her suggested corrections via email. Mr. Griepentrog said yes and would appreciate any changes in the next couple weeks. His goal is to compile the full document in early March for wide distribution before the open house. Mr. Griepentrog said there will be printed versions of the final plan placed in the library and village hall in addition to the online version.

5. Discuss Comprehensive Plan Virtual Open House – March 17, 2021 at 6:30 p.m.

Mr. Griepentrog said after polling commissioners the open house was scheduled for March 17th so that promotion of the event could occur. The final draft will be completed before the open house and asked for any changes to be emailed by the end of February. Mr. Griepentrog would like to have the plan available to the public for two weeks prior to the open house but will not rush the process.

6. Consider 2020 Plan Commission Annual Report and Future Initiative.

Mr. Griepentrog said this was discussed at the January meeting and he has made all the updates that had been requested.

Ms. Kiely Miller asked about adding the review of the solar approval process. Mr. Griepentrog said this item is on the Village Manager's work plan already and she will be presenting to the Plan Commission soon.

Ms. Kiely Miller said once the Comprehensive Plan is passed by the Village Board that the zoning map and code should be higher on the list. Mr. Griepentrog said he struggles with rearranging the list and said they will definitely debate and select items after the comprehensive plan. He doesn't put much weight in the numbering of the items.

Trustee Stokebrand asked where form based zoning fits into all of this. Mr. Griepentrog said it would be a component of item 2, 5 and 6.

7. Future agenda items.

Mr. Griepentrog said he is expecting two conditional use applications in March and/or April depending on when they are received. As part of the March 1st Village Manager's Report the Village Board will potentially be having a discussion about re-opening aspects of village government to the public. He said he has heard an acceptance and/or appreciation for the ability to do virtual meetings. Mr. Couto appreciates doing the meetings virtually. Ms. Klein asked if there is a way to do the meetings both in person and virtually. Mr. Griepentrog said a hybrid solution for the future is being looked into. Ms. Kiely Miller said virtual meetings this winter have been a godsend and she feels that more people listen to the meetings virtually. Mr. Wycklendt said that from a public access standpoint virtual meetings should continue. Trustee Stokebrand said a hybrid solution would be best moving forward for people who do not have a way to participate in virtual

meetings but until that solution is determined virtual meetings would be the best. Ms. Kiely Miller said virtual meetings are convenient for applicants/participants coming from a distance to participate easily without traveling.

8. Adjournment.

Mr. Couto moved to adjourn the meeting at 9:10 p.m., seconded by Mr. Wycklendt. Vote to adjourn 6-0.

Recorded by,

A handwritten signature in blue ink that reads "Crystal Kopydlowski". The signature is written in a cursive, flowing style.

Crystal Kopydlowski
Planning Department Administrative Clerk