



**Plan Commission
Meeting Minutes
May 25, 2021**

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

1. Call to order.

The meeting was called to order at 6:31 p.m.

President Ann McKaig - Chair	Aye
Trustee Tammy Bockhorst	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 March 23, 2021 meeting minutes.

Trustee Bockhorst moved to approve the minutes, seconded by Mr. Couto. Vote 7-0 to approve.

3. Approval of the April 19, 2021 Joint Meeting of the Plan Commission and Village Board meeting minutes.

Trustee Bockhorst moved to approve the minutes, seconded by Mr. Couto. Ms. Kiely Miller suggested two minor grammatical corrections on page one and page two of the minutes. Vote 7-0 to approve with the grammatical corrections.

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

Mr. Griepentrog gave a brief updated on the topic based on the memo provided to the Plan Commission. On February 23, 2021, the Plan Commission approved the request for a parking special exception. On March 24, 2021, the Village Clerk forwarded to the Planning & Development Department an appeal of the Plan Commission's decision submitted by residents of the area. The Board of Appeals reviewed the appeal on April 13, 2021 and May 4, 2021. On May 4th the Board of Appeals voted to accept the appeal and remand the matter back to the Plan Commission. Within the packet was a draft of the Board of Appeals decision that subsequently has been signed as is. That decision shows the motion passed on a 4-1 vote.

Mr. Griepentrog said the Plan Commission hearing is scheduled for Tuesday, June 1st virtually at 6:30 p.m. The meeting agenda was posted earlier this afternoon and materials will be delivered later this week, likely Friday.

Trustee Bockhorst stated the packet said the motion passed 3-1 but that Mr. Griepentrog stated 4-1. Mr. Griepentrog stated that 3-1 is correct.

Ms. Kiely Miller asked if they would be receiving any new materials and information. Mr. Griepentrog said yes and that he had received an email from the applicant with further

information that will be included in the packet. The Board of Appeals was clear that additional information could be provided.

5. **a). Public Hearing: Consideration of Conditional Use Permit application for IV Nutrient Lounge, a proposed wellness clinic, at commercial property 4208 N. Oakland Avenue in the Village of Shorewood, Milwaukee County, Wisconsin. TAX ID 239-0307-000.**

The public hearing was opened at 6:39 p.m.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission.

With no public comments the public hearing was closed at 6:45 p.m.

b). Consideration of Conditional Use Permit application for IV Nutrient Lounge, a proposed wellness clinic, at commercial property 4208 N. Oakland Avenue in the Village of Shorewood, Milwaukee County, Wisconsin. TAX ID 239-0307-000.

Trustee Bockhorst stated that one of the non-permitted uses in this area is a medical facility. She added that the area, including the Metro Market and the newer developments, along with the Vision 2025 and Central District Master Plan had all mentioned that the Village wanted a vibrant community with a lot of foot traffic and variety. She said even though she will be voting for this it is a little tricky when considering the developer agreements for the Metro Market and the Mosaic road on the fact that these types of uses would not be permitted within the first ten years of those developments.

Ms. Kiely Miller stated that this proposed use is not in the Metro Market/Mosaic development but across the street south of Powers Realty.

Ms. Kiely Miller asked if the clinic was similar to clients going to a massage clinic or one where a medical referral or clearance is required. She also asked who is responsible for administering the IV treatments when the physician/owner is not on site.

Mr. Griepentrog noted the applicant, Dr. Kristen Reynolds, was not present. He said he did have a conversation with her in February/March to confirm that she does agree this is a clinic and that her clients are not clients but indeed patients. With that confirmation it was determined it would require conditional use approval. Bart said the plan of operation states that there will be 1-2 employees per shift plus the medical director/owner, Dr. Kristen Reynolds, who will be onsite intermittently throughout the week to oversee operations.

Ms. Kiely Miller asked if the space is all one big space like a hair salon or if there is any screening between the patients. Mr. Griepentrog said he could not answer as he has not been to the site and that the building inspector does the site inspections. He said based on the floor plan it looked relatively open.

President McKaig said in the report that it stated the business spaces were not combined. Mr. Griepentrog said that was correct and that the front space is technically separate from the Golden Rey space.

Ms. Patel questioned the applicant's answer to number 6d of their plan of operations where they state that "*street parking is available for patients; we would like to obtain street parking passes for our employees, if possible*". She asked where the employees would park because Oakland is a two-hour limit. Mr. Griepentrog communicated to the applicant that the Village does not sell daytime passes for Oakland Avenue and that her

employees would be subject to daytime parking regulations and/or availability behind the building.

President McKaig asked about the code requirement of 9 off-street parking stalls and asked if this was in conflict with the findings. Mr. Griepentrog said he includes that code requirement as a reference but explained it is only triggered for new construction or substantial renovations. This space does not qualify.

Mr. Wycklendt moved to approve the Conditional Use application for IV Nutrient Lounge, a proposed wellness clinic, at commercial property 4208 N. Oakland Avenue, based on meeting the conditions stipulated in 535-25C. Seconded by Trustee Bockhorst.

Village Attorney Bayer added that there is in the code a section called 535-27 labeled Commercial Uses which identifies specific uses as allowed by condition. He said under Subsection D the code lists specifically clinics by conditional use approval. He said over the years he has been asked how this code section plays into section 535-25C and the Plan Commission's decision. He said the best way to look at this is that under 535-27 the code is saying that although these are not specified enumerated uses under the specific zoning section these uses are otherwise generally favored but that this body should still consider all the conditions under 535-25C. He said that when conditional uses are before the Plan Commission that the other part to consider is the state statute that states if an applicant meets or agrees to meet the requirements of either an existing ordinance or those imposed by the body then the municipality shall approve the conditional use permit and any condition imposed must be related to the purpose of the ordinance or be based on substantial evidence.

President McKaig asked if the motion on the floor needed to be amended or that the Commissioners understand that either their discussion needs to reflect the factors are not met or that they are. Attorney Bayer said the motion would not need to be amended and that it does reference 535-25C.

President McKaig stated that if any Commissioners felt the conditions were not met this would be the time to question those.

Mr. Griepentrog stated the applicant, Dr. Kristen Reynolds was now present.

President McKaig asked Ms. Kiely Miller if she wanted to address her questions to the applicant.

Ms. Kiely Miller said she would. She added that often the Commission will go through conditions 1-7 but that they also consider those themselves when reviewing the materials prior to meetings.

Ms. Kiely Miller asked if the patients needed a medical referral or be screened to receive treatments and who is in charge when the doctor/owner is not present. Dr. Reynolds said medical clearance is required before treatments are received. She said she is the one clearing patients currently but recently hired two nurse practitioners who will also be clearing patients once they are trained.

Ms. Kiely Miller asked if patients are open to one another when receiving treatment or if there is any screening. Dr. Reynolds said the room is open with four stations distanced by at least 6 feet. She said they do have a privacy divider if a patient desires that. She said Golden Rey Energy Center also has private rooms they can utilize.

A roll call vote was taken: President McKaig – Aye, Trustee Bockhorst – Aye, Mr. Couto – Aye, Ms. Klein – Aye, Ms. Kiely Miller – Aye, Ms. Patel – Aye and Mr. Wycklendt – Aye. Vote to approve 7-0.

6. **a). Public Hearing: Consideration of Conditional Use Permit application for the installment of a canoe/kayak launch at municipal property 3565 N. Morris Blvd., in the Village of Shorewood, Milwaukee County, Wisconsin. TAX ID 275-8989-001.**

The public hearing was opened at 7:05 p.m.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission.

With no public comments the public hearing was closed at 7:12 p.m.

b). Consideration of Conditional Use Permit application for the installment of a canoe/kayak launch at municipal property 3565 N. Morris Blvd., in the Village of Shorewood, Milwaukee County, Wisconsin. TAX ID 275-8989-001.

Ms. Klein asked about parking in the circle and whether it is temporary parking to unload/load equipment because the circle is currently no parking. Mr. Griepentrog said that was his understanding. Ms. Klein suggested signage allowing the temporary parking. President McKaig asked if it would qualify as a loading zone. Mr. Griepentrog said it could be signed as a loading zone and he feels the Village could meet the intent of the conversation.

Ms. Kiely Miller asked if when a vehicle is temporarily parked loading or unloading there is enough room for another vehicle to get around them or if there will be backups. Mr. Griepentrog said he believes there would be enough room and that a scale was provided in the materials and the driveway is at least 20 feet wide.

Ms. Kiely Miller asked if there will be any restrooms in the area. Mr. Griepentrog said no additional restroom facilities are a part of the plan and they are not required.

President McKaig added that this site has been used informally for years for this purpose and the only difference is the Village has engineered and invested in creating a formal launch to make it easier on people.

Trustee Bockhorst confirmed that parking is already allowed and therefore they wouldn't need to go into specifics and also in regards to loading zones a person needs to remain in the vehicle and this potentially would not be possible. She said this project was discussed at length at the Village Board level and is excited about it and would support the two year extension also.

Trustee Bockhorst moved to approve the Conditional Use Permit application for the installment of a canoe/kayak launch at municipal property 3565 N. Morris Blvd. (Hubbard Park), subject to the receipt of certification by a professional engineer of no adverse impacts and with an extension for the commencement of construction through the end of 2022. Seconded by Ms. Klein.

A roll call vote was taken: President McKaig – Aye, Trustee Bockhorst – Aye, Mr. Couto – Aye, Ms. Klein – Aye, Ms. Kiely Miller – Aye, Ms. Patel – Aye and Mr. Wycklendt – Aye. Vote to approve 7-0.

7. **Update on the passage of the Village of Shorewood Comprehensive Plan 2040.**

Mr. Griepentrog provided a brief update and stated that most were involved with the joint Plan Commission and Village Board meeting. He said the plan was approved by the Village Board on April 19, 2021 subject to clarification of height regulations in the future land use Main Street Mixed Use District as well as the inclusion of various technical changes that were identified. That information was provided in the materials.

The plan as adopted has been amended and uploaded to the village web page. On June 1st all copies will be printed for trustees, the library and village hall.

Moving forward the plan will be used as a required reference for code and policy updates.

Mr. Griepentrog thanked all the commissioners for their hard work on the plan and preparing it for the Village Board. He suggested that during the June Plan Commission meeting there be a discussion regarding identifying priorities moving forward.

8. Future agenda items.

No future agenda items were discussed

9. Adjournment.

Trustee Bockhorst moved to adjourn the meeting at 7:25 p.m., seconded by Mr. Wycklendt. Vote to adjourn 7-0.

Recorded by,



Crystal Kopydlowski
Planning Department Administrative Clerk