

**City of Oconomowoc
Plan Commission Meeting Minutes
July 7, 2021**

The meeting was called to order at 6:01 pm by the Deputy Clerk. Due to the absence of Chairman Magnus, motion by Vande Zande to nominate Frederick to act as Chairman pro-tem this evening; second by Brotheridge. Motion carried 5-0.

Members Present: Commissioners Tim Valley, Dean Frederick, Matt Mulder, Chad Vande Zande, John Gross (6:05 pm) and Ken Brotheridge

Members Absent: Chairman Robert Magnus

Others Present: Jason Gallo, Matt Trebatoski, Atty. Stan Riffle, Mark Frye, Robert Duffy, Ald. John Zapfel and Chris Dehnert

2. Approve Minutes of May 5, 2021: Motion by Vande Zande to approve the May 5, 2021 minutes; second by Valley. Motion carried 5-0.

3a. Public Hearing – Arrowood Subdivision: The purpose is to hear public comment on the Arrowood Development application by Chris Ehlers on behalf of Veridian Homes for a proposed rezoning of 269.9 acres located on the NW corner of Oconomowoc Parkway & Valley Road with additional frontage on S. Concord Road. The parcel is identified as Tax Key #OCOC 0596.995.003 and zoned Suburban Residential (SR) district. The request is to rezone the property to Traditional Residential (TR) with a Planned Development (PD) Overlay district which, if approved, would allow for the construction of a total of 299 residential units including 239 single-family homesites and 30 attached single-family (duplex) lots resulting in 60 additional units. The public hearing opened at 6:04 pm. Gallo explained the property is currently vacant, contains a considerable amount of wetlands, and is surrounded by residential land uses, a school and vacant land. Gallo explained the applicant originally requested a zoning change to TR but has decided to keep the SR zoning and only request a PD overlay district. This request will allow flexibility on lot width, front and side yard setbacks, and allow the removal of sidewalks within the radius of cul-de-sacs. Gallo showed pictures of 1 and 2-story single-family homes and twin homes the applicant has built in similar developments. He noted concerns have been raised by residents near the proposed development on the impact of additional children on the school system, stormwater flooding, groundwater issues, increased traffic, and water quality of the Oconomowoc River. Gallo supports this request and recommends approval of the ordinance to create a PD overlay district for this development.

The applicant, Chris Ehlers of Veridian Homes, gave a PPT and explained they will be the developer and builder of the site. Their developments have strict covenants, protect the neighborhoods, have outlawed the homes to be rented thru AirBNB, require HOA's to be professionally run and manage their communities. They have a wide variety of homes at different price points with the average home price at \$396,000. They intend a 7 – 8 phase development over a 7 – 10 year build out.

Brian Munson of Veridian Homes said they researched the property and previous plans for it. They initially wanted the zoning changed to TR but decided to keep the SR zoning and request a PD overlay instead. They intend to maintain a central open space within the development; include a walking path and trails within neighborhoods; and preserve existing wetlands.

The following interested persons spoke:

- 1) Scott Dressel, 37732 Valley Rd, is concerned with additional traffic this development will bring onto Valley Road. He hasn't heard anything in the presentation tonight to address infrastructure to help with the additional traffic caused by this development.

- 2) Lois Erdmann, 3349 N. Golden Lake Rd, has lived in the area 54 years and said most homes west of Valley Road do not have basements. She is not against the development but is concerned with water issues in this area.
- 3) Jim Wilch, 1130 Creekside, was impressed that they intend to save the wetlands but is concerned with the number of subdivisions being developed and the high density of the area. He noted the City held a workshop about 10 years ago where people were able to express their concerns and hopes the City takes a step back and listens to its citizens.
- 4) Pete Holmes, 237 Shore Circle, said this location was previously planned for 143 home sites. He is concerned with heavy traffic, school buses and the impact to wildlife; questioned how people will get around; ramps to I94 may need to be constructed; and asked the City to limit growth of the area.
- 5) Robert Lex, 1863 River Lakes Rd S, has no issue with the subdivision; does not like the smaller lot sizes; and the City should consider finishing Oconomowoc Pkwy and Hwy BB to I94 as Valley Road can't handle the additional traffic.
- 6) Mitt Wegner, 1380 S. Concord Rd, has lived in his home 55 years; most homes on Valley Road have had their basements pumped out; water will be displaced by concrete roads and driveways; and concerned for safety as there is no shoulder and there can be issues at times with garbage cans on Valley Road.
- 7) Gary Broege, 1390 S. Concord Rd, concerned with traffic and asked if the road will be addressed with this development.
- 8) Darlene Ulickey, 1620 Saint Andrews Dr, questioned the location of the flood plain; would like a study to see how this development will affect all other areas for ground water as there will be too many buildings and not enough room to dissipate the water naturally; people don't obey speed limits; there isn't much of a shoulder; they should finish the Parkway and get traffic off Valley Road.
- 9) Jane Owen, P O Box 493, Hartland, noted her family has property on Valley Road; wildlife does not congregate-they have to go somewhere; flooding in the area was terrible in 2008; stormwater issues will only get worse; wants to know the water quality standards of the proposed stormwater plan; City can't afford to upgrade Valley Road; and the project should not move forward.
- 10) Mike Nichols, 1450 S. Concord Rd, don't need more traffic on Valley Road and is concerned with ground water in this area.

No additional comments were received and the hearing closed at 7:11 pm.

3b. Public Hearing – Olympia Fields Development: The purpose is to hear public comment on the application by Mark Lake on behalf of Wangard Partners Inc. for a proposed rezoning of 15.37 acres to Residential Multi-Unit High (RMH) with a PD overlay district which, if approved, would allow for the construction of 152 residential apartment units. The public hearing opened at 7:12 pm. Gallo reported this is the former site of the Olympia Hotel & Resort. The property is currently zoned Residential Multi-Unit Low (RML) and the request is to change it to RMH with a PD overlay district. The intent is to build 4 (25) and 2 (26) unit buildings consisting of 152 units on 15.37 acres. The architectural design, colors and materials were reviewed and approved this evening. The applicant is requesting reduced setbacks and parking in exchange for public benefits including redevelopment of the site and clean up of the existing pond. Gallo supports this request and recommends approval.

The applicant, Mark Lake of Wangard Partners Inc. explained their original request was to change the zoning to RMH and the Plan Commission agreed, but Council requested they come back with a master plan of the whole area. The proposed area with the apartment complexes will be a buffer between commercial development and single-family subdivisions. Lake noted there is a piece of land not included in this request which is owned by the City and could become part of this location for a 6th building. He concluded they need the added density to fuel other developments.

The following interested persons spoke:

- 1) Ted Miglautsch, 1061 Regent Rd, #614, inquired about issues relating to his unit. He was directed to speak with an individual from Wangard Partners who could address his questions.

No additional comments were received and the hearing closed at 7:24 pm.

4a. Consider / approve Resolution PC21-R2964 recommending Disposition of Property at 1375 Royale Mile Road: Duffy explained the City purchased remnant lands as part of the TIF 7 project plan to accommodate infrastructure for the rest of the development including future residential and commercial. State stats require the Plan Commission approve of the sale of all public property, and Council has previously indicated their support of this sale. Duffy recommends approval of the sale of property at 1375 Royale Mile Road. Motion by Vande Zande to approve Resolution PC21-R2964 recommending the disposition of property at 1375 Royale Mile Road; second by Gross. Motion carried 6-0.

4b. Consider / recommend Ordinance 21-O1011 to create a Planned Development Overlay District for the Arrowood Subdivision located at the NW corner of Oconomowoc Parkway and Valley Road: Gallo reported comments were received by email earlier today from Scott Drummond, and Christine and Adam Andrus; and 10 speakers and the applicant spoke at the public hearing tonight. Comments included concerns with increased traffic, surface and groundwater issues. Gallo explained the applicant wants to keep the SR zoning and is requesting an PD overlay district for this development. They are requesting exemptions which would allow a more compact mixed use development with homes located close to each other and will provide a public benefit with added trails and paths, public access to Mud Lake, and attainable housing for people. Gallo recommended approval of the request for a PD overlay district. Members comments included: not generally in favor of exemptions from code requirements and usually insist on sidewalks and connectivity but it makes sense to eliminate them in the radius of the cul-de-sac; and concern with traffic by the school and on Concord Road. Gallo explained Oconomowoc Parkway was built to take pressure off Concord Road; completing the Parkway is in the City's long-range plans; traffic issues on Concord Road involves a joint effort between the City, Village of Summit and Waukesha County; and traffic should not control a development. Members questioned the stormwater plans and the wetland areas, and Ehlers explained they are utilizing the original stormwater plans and upgrading them. They are aware of the standards and are looking to improve upon conditions. Members added there are opportunities for stormwater and the environment with this development; this will be a phased in development which gives time to correct groundwater issues; the lots will be about 25% smaller than code requirements; likes how this plan meets the City's new land use plan; cooperation between County and Village will have to develop over time; appreciates public input this evening; in the past an attempt was made to put Oconomowoc Pkwy through but it was shot down; and this development is highlighting the need for traffic and groundwater to be addressed at this location. Motion by Valley to recommend Ordinance 21-O1011 creating a Planned Development Overlay District for Arrowood Subdivision on the NW corner of Oconomowoc Parkway and Valley Road; second by Brotheridge. Motion carried 6-0.

4c. Consider / recommend the Certified Survey Map for Wangard Partners that divides 1 lot into 2 lots and 2 outlots at 1350 Royale Mile Road: Gallo reported this request would divide an existing 23.23 acre site into 2 lots and 2 outlots. Lot 1 will consist of 9.83 acres for future apartments; Lot 2 will be 7.83 acres for future commercial development; outlot 1 will be .03 acres for a center island in a public ROW cul-de-sac; and outlot 2 will be 5.54 acres and is a stormwater pond. The CSM was reviewed by staff for technical issues and there are no concerns. Gallo recommends approval of the CSM. Members noted this area is long overdue for development and are happy to see someone taking a chance on it. Motion by Gross to recommend to Council the Certified Survey Map for Wangard Partners that divides 1 lot into 2 lots and 2 outlots at 1350 Royale Mile Road; second by Vande Zande. Motion carried 6-0.

4d. Consider / recommend the Certified Survey Map for Wangard Partners that divides 1 lot into 3 lots and 1 outlot at 1350 Royale Mile Road: Gallo reported this request would divide an existing 10.82 acre site which was previously the Olympia Hotel & Conference Center into 3 lots and 1 outlot. These land divisions are being done as 2 separate documents because State Law only allows land divisions with 4 lots or outlots per document. Lot 1 will consist of 4.83 acres, Lot 2 will be 1.98 acres and Lot 3 will be 1.75 acres and all used for future commercial development. The outlot will be .51 acres and is the existing entry to the site. The CSM was reviewed by staff for technical issues and there are no concerns. Gallo recommends approval of the CSM. Members noted an issue with an easement on the property, and Duffy explained it will be corrected during this process. Motion by Gross to recommend to Council the Certified Survey Map for Wangard Partners that divides 1 lot into 3 lots and 1 outlot at 1350 Royale Mile Road; second by Brotheridge. Motion carried 6-0.

4e. Consider / recommend Ordinance 21-O1012 to rezone 15.37 acres from Residential Multi-Unit Low to Residential Multi-Unit High for Olympia Fields at 1350 Royale Mile Road: Gallo explained this request is to change the zoning from RML to RMH to allow for a higher density which is needed for the construction of the residential apartment units. Members believe this change in zoning is warranted to help clean up this site for the developer. Motion by Mulder to recommend to Council approval of Ordinance 21-O1012 to rezone 15.37 acres from Residential Multi-Unit Low to Residential Multi-Unit High for Olympia Fields at 1350 Royale Mile Road; second by Gross. Motion carried 6-0.

4f. Consider / recommend Ordinance 21-O1013 for the creation of a Planned Development Overlay District for Olympia Fields at 1350 Royale Mile Road: Gallo explained this request is for approval of a PD overlay district for the Olympia Fields development. The applicant is requesting exemptions from parking stall requirements, front yard and paved surface setbacks which Gallo said is standard for this type of development. They are providing onsite parking and are close to meeting code requirements. The underlying zoning will be RMH which complies with the type of development they are proposing. Gallo noted if minor changes are made to the site plan they would be reviewed by the Planning Dept. If changes are considerably different than what is approved, then the applicant will need to bring them back to the Plan Commission for approval. Gallo recommends approval of the request for a PD overlay district. Members noted at the Architectural Commission meeting earlier, it was agreed that if an additional building is built and it is identical to the other buildings in this development, it can be administratively approved by Planning staff. Gallo suggested the ordinance could be changed to include language addressing if an additional building comes in, that it could be approved administratively. Riffle noted that the new area would need to be rezoned which requires approval by the Plan Commission so changing the ordinance is not necessary. Motion by Gross to recommend to Council approval of Ordinance 21-O1013 to create a Planned Development Overlay District for Olympia Fields at 1350 Royale Mile Road; second by Brotheridge. Motion carried 6-0.

4g. Consider / act on the Major Design Review Plans for Wangard Partners for Olympia Fields Development of 152 Apartment Units at 1350 Royale Mile Road: Gallo reported this is for approval of the major design review plans of 4 (25) unit and 2 (26) unit buildings for the Olympia Fields development. The landscaping, lighting and utility plans comply with code requirements, and the architectural design, material and colors were approved earlier this evening. Gallo recommends approval of the major design review plans as presented. Members questioned the amount of landscaping along the edge of the private road and suggested some landscaping be relocated to the area along the building (R-111) shown on sheet L100 where there is no landscaping. The applicant, Mark Lake, explained this area may change and they don't want to plant a lot of landscaping in this location just to remove it later. However, he agreed to relocate several plantings along the road and put them in the area in question. Motion by Gross to approve the Major Design Review Plans for the Olympia Fields Development at 1350 Royale Mile Road; second by Valley. Motion carried 6-0.

4h. Consider / recommend the Final Plat for Morgan Station Subdivision located at 9740 Valley Road:

Gallo reported this request is for approval of the final plat of a 47 single-family lot subdivision. The property is zoned Suburban Residential and the preliminary plat was approved in February 2021. Gallo said the plat is consistent with the preliminary plat, and he recommends approval. Motion by Vande Zande to recommend to Council the Final Plat for Morgan Station Subdivision at 9740 Valley Road; second by Brotheridge. Motion carried 6-0.

4i. Consider / recommend the Condominium Plat for the Park at Prairie Creek Ridge (Phase I) for 20 residential units located on Outlot 17 of Prairie Creek Ridge #5 on Whalen Drive:

Gallo explained the applicant is requesting reapproval of the condominium plat which was previously reviewed by the Plan Commission on March 3, 2021 but never went to Council. The property is zoned RML and currently vacant. The development will consist of 16 duplex and 8 (4) unit buildings for a total of 64 residential units. Gallo noted the original document was 2 pages for all 64 units and the new one is 10 pages and only reflects the first 20 units. In addition, the plat was changed to include more detailed plans on the units and reflect more parking for visitors, which had been a concern of the members. The applicant is requesting approval of this plat with the 13 off street parking stalls as proposed. Gallo recommends approval of the plat and requests confirmation of the number of parking stalls as proposed by the applicant. Members agreed the additional parking stalls will be adequate. Motion by Valley to recommend to Council the Condominium Plat for Phase I of the Park at Prairie Creek Ridge on Outlot 17 of Prairie Creek Ridge #5 on Whalen Drive; second by Gross. Motion carried 6-0.

4j. Consider / act on the Major Design Review Plans for the Park at Prairie Creek Ridge Condominiums, located on Outlot 17 of Prairie Creek Ridge #5 Subdivision:

Gallo reported this is for approval of the major design review plans for the Park at Prairie Creek Ridge Condominium development which includes 16 duplexes, 8 (4) unit buildings and a clubhouse with a pool for use by the condo owners. The use complies with the City's land use plan; all setbacks meet code; landscaping and utility plans comply with code requirements; lighting will be similar to other building projects of this developer; stormwater plan is complete; and the architectural design, material and colors were approved in June 2021. Gallo noted parking was an issue previously and the applicant included additional spaces around the development which he believes is sufficient. Gallo said a technical review was completed, any concerns have been addressed, and he recommends approval of the major design review plans as presented. Motion by Gross to approve the Major Design Review Plans for the Park at Prairie Creek Ridge Condominiums located on Outlot 17 of Prairie Creek Ridge #5 subdivision; second by Brotheridge. Motion carried 6-0.

4k. Consider / recommend the Certified Survey Map for Jiffy Lube that creates 1 lot at 1610 Water Place:

Gallo reported this request would divide an existing 14.08 acre site into 2 lots. Lot 1 will consist of 13.10 acres and Lot 2 will be .975 acres for development of a Jiffy Lube. The property is zoned General Commercial and this is the third commercial development on the site. Access to the site will be from Water Place which is a private drive. There are no concerns with utilities and impact fees will be required. The CSM was reviewed by staff for technical issues and there are no concerns. Gallo recommends approval of the CSM. Motion by Valley to recommend to Council the Certified Survey Map for Jiffy Lube that creates 1 lot at 1610 Water Place; second by Brotheridge. Motion carried 6-0.

4l. Consider / recommend the Conditional Use Permit for Jiffy Lube at 1610 Water Place: Gallo explained this request is for a recommendation to Council for a Conditional Use Permit (CUP) for Jiffy Lube. There are 6 standards listed in the zoning code for Vehicle Service and Repair which Gallo read. The CUP includes these standards and Gallo recommends approval as drafted. Motion by Mulder to recommend to Council approval of the Conditional Use Permit for Jiffy Lube at 1610 Water Place; second by Brotheridge. Motion carried 6-0.

4m. Consider / approve the Major Design Review Plans for Jiffy Lube at 1610 Water Place: Gallo reported this request is for approval of the major design review plans for a new Jiffy Lube which will be located next to the Bubbles Foam Farm Car Wash. The use complies with the City's land use plan; all setbacks meet code; there will be 10 parking stalls for onsite parking; landscaping exceeds code; and drainage/stormwater will flow through underground pipes to be discharged to an offsite pond. An updated lighting plan was provided which matches the light fixtures in the Pabst Farms development. The architectural design, materials, colors, and signage were approved earlier this evening. Access to the site will be through an access easement on a private road. Gallo recommends approval of the major design review plans as presented. Members requested additional plantings be added along Hwy 67 to shield headlights from reflecting onto the highway. Motion by Vande Zande to approve the Major Design Review Plans for Jiffy Lube at 1610 Water Place subject to the applicant including additional landscaping along Hwy 67 and the Common Council approving the Conditional Use Permit for the applicant; second by Brotheridge. Motion carried 6-0.

4n. Consider / recommend the Extraterritorial Certified Survey Map to combine lots located on the NE corner of Marquette Street and Yale Street, Town of Oconomowoc: Gallo reported the applicant was unable to appear tonight due to a family situation. This request is to combine 2 lots into 1 in the Town of Oconomowoc. The property is located within the City's extraterritorial limits as it is approximately 1/10 of a mile from the closest City boundary. Waukesha County and the Town are working with the owner to combine the 2 parcels into 1. No technical review was done and Gallo recommends approval. Motion by Brotheridge to recommend to Council the Extraterritorial Certified Survey Map to combine lots on the NE corner of Marquette and Yale Streets, Town of Oconomowoc; second by Gross. Motion carried 6-0.

4o. Consider / recommend the Extraterritorial Final Plat for the Meadowlands Subdivision located on the SW corner of HWY K and Road J, Town of Oconomowoc: Gallo reported the applicant was unable to attend tonight. This request is for approval of a final subdivision plat with 31 single-family lots on 45 acres located in the Town of Oconomowoc. The property is located within the City's extraterritorial limits and is over 1 mile from the City limits. The preliminary plat was reviewed in July 2020, and in May 2021 the map was adjusted because trees were planted on a neighboring property. The layout is the same as the preliminary plat. Access to the new subdivision will be off Hwy J, and 3 abutting town roads will be extended to the property. Gallo recommended approval. Motion by Brotheridge to recommend to Council the Extraterritorial Final Plat for the Meadowlands Subdivision located on the SW corner of HWY K and Road J, Town of Oconomowoc; second by Gross. Motion carried 6-0.

5. Planning Department Correspondence:

a: April 2021: Gallo reported in the month of April 1 temporary use permit was issued, 2 letters were sent for various issues, 2 requests were received for occupancy of a new business, and 1 site plan was administratively approved.

b: May 2021: Gallo reported in the month of May 1 temporary use permit was issued for a food truck, 6 letters were sent for various issues, 1 request was received for occupancy of a new business, and 2 site plans were administratively approved.

Gallo thanked the members for the time they put in reviewing the large packet for tonight's meeting, and the members thanked Gallo for all the work involved in putting it together. Frederick asked Gallo for an update on the chicken ordinance. Gallo explained the ordinance was approved by Council, and he has issued 6 chicken permits with no complaints so far.

6. Adjourn: Motion by Brotheridge to adjourn at 8:47 pm; second by Mulder. Motion carried 6-0

Chris Dehnert, Deputy City Clerk