

**City of Oconomowoc
Plan Commission Meeting Minutes
August 4, 2021**

Chairman Magnus called the meeting to order at 6:00 pm.

Members Present: Chairman Magnus, Commissioners Frederick, Mulder, Vande Zande, Gross & Brotheridge

Members Absent: Commissioner Valley

Others Present: Gallo, Riffle, Trebatoski, Frye, Rosek and Dehnert

2. Approve Minutes of July 7, 2021: Motion by Brotheridge to approve the July 7, 2021 minutes; second by Mulder. Motion carried 6-0.

3a. Public Hearing – Journey21: The purpose is to hear public comment on the application by Jim Marriott, Marriott Construction on behalf of Journey21 for a proposed amendment to the City of Oconomowoc Comprehensive Land Use Plan 2050 and rezoning of 12.05 acres located on the north half of Parcel OCOC 0616.999.030. The request is to amend the Land Use Plan designation to Medium Density Residential and zone the site Residential Multi-Unit Low with a Planned Unit Development. If the land use plan and zoning map amendments are approved, the request is to allow the site to be developed into a mixed-use neighborhood of apartments, homes, and amenities for adults with intellectual or developmental disabilities. The public hearing opened at 6:01 pm. Gallo gave a PPT and reported the proposed project will be located off Schoolhouse Road and next to the Hackney House. Journey21 is a non-profit corporation founded in 2020, and their development will consist of apartments, cottage homes, and amenities. The property is surrounded by Multi-Family High zoning to the east, Commercial to the west, and Business Park to the north and south. Utilities are sufficient for this development but issues may arise with future projects in the area because of capacity issues. Access will be off Old Schoolhouse Road with an additional access point off Hackney Way. The applicant is considering subdividing the property into 3 separate parcels. Gallo noted any changes to the use of the parcels will require review by the Plan Commission. The buildings design, materials and colors were approved by the Architectural Commission last month. The applicant is requesting a planned development to relax the standards under the RML zoning and allow restrictions from setback requirements. An aerial flyover of the proposed development was shown. The following interested persons spoke:

- 1) Jon Spheeris, S1W33857 Abitz Rd, Oconomowoc, said this is an ideal use of this land and a great location near lots of shopping; project has been driven by mothers wanting to provide a safe environment for their children.
- 2) Peter Damsgaard, 11739 N Shorecliff Ln, Mequon, applicant, said the buildings are laid out to foster interaction while allowing for independence of these individuals.
- 3) Larry Szwalkiewicz, 1512 Paddock Ct, Oconomowoc, said it looks like a good project but is concerned that they have only been around a year; don't want setbacks to be relaxed; and feel more information is needed before this project is approved.
- 4) Jon Spheeris, S1W33857 Abitz Rd, Oconomowoc, explained Journey 21 was started by 2 people who put money into this project and they are surrounded by a very good group of people.

The following individuals spoke in favor of Journey21 and their desire to be independent:

- 5) Matt Frisinger, W305N1552 Silverwood Ln, Delafield.
- 6) Marvin Marriott, 1701 Cedar Bend, Hartland.
- 7) Max Marriott, 1701 Cedar Bend, Hartland.

No additional comments were received and the hearing closed at 6:25 pm.

4a. Consider / approve Resolution PC21-R2973 amending the Land Use within the City's Comprehensive Land Use Plan for Journey21 located at the SE corner of Old Schoolhouse Road and Hackney Way: Gallo reported this applicant is requesting to have the land use plan changed from Suburban Residential and Business Park to Medium Density Residential for their project. Members comments included the area has gone through a lot of change over the years; appreciate the comments from the public; support the proposed use; questioned if this is the highest and best use of this area; believes a project that can be fully assessed would be better in this location; the whole area was initially supposed to be residential; seems like the zero lot lines are self-imposed because there are no areas of development that appear to come near the property edge; there is a need for this type of development; and requested additional information on the utility issue. Gallo explained the area was initially shown as Suburban Residential and then the Hackney Apartments came in with a more intense use along with other projects in the area. The utilities can handle this project but as more and higher uses come into this area, there could be capacity issues. This plan has been shared with utilities and they are comfortable with this project. Members noted the Medium Density Residential would also be on parcel 2 which will be vacant. Gallo explained any changes for parcel 2 will need to be reviewed by the Plan Commission and utilities will look at the capacity requirements for whatever that use would be. Members were happy to see the connectivity within the development and questioned connectivity (sidewalks) on Old Schoolhouse Road to businesses from their location. Damsgaard said they are willing to work with the City on sidewalks and the walkability to things; this project will attract new residents and encourage visitors to the City; this development is similar to the Hackney Apartments, only with a different type of resident; they're dividing up the property because parcel 1 has to be separate from the rest of the development for tax purposes; and they are not asking for any relaxed setbacks to the exterior of the property, just the interior. Motion by Gross to approve Res PC21-R2973 amending the City's Comprehensive Land Use Plan to Medium Density Residential for Journey21 to be located on the SE corner of Old Schoolhouse Road and Hackney Way; second by Brotheridge. Motion carried 5-1 (Frederick voted no).

4b. Consider / recommend Ordinance 21-O1015 to rezone 12.05 acres from Suburban Residential and Business Park to Residential Multi-Unit Low for Journey21 located at the SE corner of Old Schoolhouse Road and Hackney Way: Gallo reported this request is to rezone 12.05 acres for Journey21 to Residential Multi-Unit Low. He believes changing the zoning to accommodate this project makes sense; the utilities will be sufficient; it is transitional zoning; and he recommends approval. A commissioner said if the project didn't go through he would like the zoning to revert back to Business Park and asked the applicant to consider more room between the buildings. Gallo agreed the building spacing looks tight but this request is to lock in the basics of the plan. These types of details will be further reviewed during the major design review process, and staff will ask for more room between buildings at that time. Riffle stated the members could make the zoning contingent on approval of the planned development or take both ordinances together at the same time so they are tied together. Motion by Gross to consolidate items 4b. and 4c. and recommend Ordinance 21-O1015 to rezone 12.05 acres to Residential Multi-Unit Low and 21-O1016 to create a Planned Development Overlay District for Journey21 to be located on the SE corner of Old Schoolhouse Road and Hackney Way; second by Mulder. Motion carried 5-1 (Frederick voted no).

4c. Consider / recommend Ordinance 21-O1016 to create a Planned Development Overlay District for Journey21 located at the SE corner of Old Schoolhouse Road and Hackney Way: Action on this item was included in the motion for 4b.

4d. Consider / recommend the Extraterritorial Certified Survey Map to combine 2 lots into 1 located at N52 W37160 Juneau Avenue, Town of Oconomowoc: Gallo reported this applicant is requesting to combine 2 lots into 1 for a property located in the Town. The applicants were unable to attend the meeting tonight. The property is located in the City's extraterritorial limits as it is approx. 200 lf from the closest City boundary. The site contains a house, and the applicant wants to build a garage. Waukesha County and the Town are working with the owner to combine the 2 lots into 1. No technical review was done and Gallo recommends approval. Motion by Frederick

to recommend approval of the Extraterritorial Certified Survey Map to combine 2 lots into 1 located at N52 W37160 Juneau Avenue, Town of Oconomowoc; second by Brotheridge. Motion carried 6-0.

4e. Consider / discuss the Creation of a Historic Preservation Ordinance for the City of Oconomowoc:

Gallo reported Wisconsin State Statutes requires communities that have homes included on the National Registry of Historic Places to have a historic preservation ordinance. The City currently has 6 structures on the Registry which makes the City in noncompliance with State Statutes because we don't have a historic preservation ordinance in our Code. Gallo explained he looked at other community's historic preservation ordinances and took one that is more lenient as a model for our own. The proposed ordinance allows individuals to petition for an historic designation; requires any changes to a designated historic structure to be reviewed and approved by the City before making any changes; creates a Historic Preservation Commission; allows the commission to nominate a property for historic designation; provides for a review process prior to razing a structure; and allows for the creation of a historic district upon receipt of a petition with signatures of 80% or more of the property owners within a proposed district. Gallo said this ordinance gives one more level of protection for structures in the City, and he would like direction from the members on the proposed ordinance. Members agreed with the necessity to have a historic preservation ordinance in place; questioned who would be members of the historic preservation committee; and noted it appeared that some Council members had concerns with portions of the ordinance. Gallo explained the section in the ordinance of who can nominate a property was removed due to concerns of a Council member. The other item Council members were concerned with was the creation of an historic district. Lastly Gallo suggested that current members of the Architectural Commission would be the members of the historic preservation committee because they know City history and architecture. This committee would be responsible for reviewing requests and making recommendations to the Council. Members agreed that the committee wouldn't meet that often and keeping members solely for this type of committee may be difficult; agreed it makes sense for the committee to be made up of Architectural Commission members; and questioned if creation of historic districts should be included in this ordinance. Gallo didn't think many districts would be created and primarily thought of homes in the Isthmus zoning district. He suggested if there is an issue with allowing for the creation of districts, separate homeowners in an area can all apply for a historic designation. Trebatoski noted if 80% of homeowners want a district, it still has to go to Council for approval. Members also questioned the number of days to act being at 45 days. Trebatoski thought 60 days may be better. Riffle did not review the ordinance yet in order for the Plan Commission to give their feedback. Members asked Gallo and Riffle to go through the ordinance and look for ways to make the ordinance a better document; questioned if the Architecture Commission members are to be the enforcer of this ordinance; and noted they want to encourage preserving the buildings we have but not stand in the way of development. Gallo added currently anyone can apply to the Building Inspector for a razing permit to take down a building. With this ordinance, the request to raze a building would have to go through a process. Members unanimously agreed to send the ordinance forward to Council for action.

5. Planning Department Correspondence – June 2021: Gallo reported in the month of June, 3 temporary use permits were issued, 7 letters were sent for various issues and 3 requests were received for occupancy of a new business.

6. Adjourn: Motion by Frederick to adjourn at 7:21 pm; second by Mulder. Motion carried 6-0.

Chris Dehnert, Deputy City Clerk