

MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS
PLAN COMMISSION

The Tuesday, January 12, 2010 meeting of the Plan Commission was called to order at 7:00 pm by Mark Sundquist. On call of the roll members present were: Jill Dittrich, Jim Etmanczyk, Mark Sundquist, Dave Benforado, Karl Wellensiek, Earl Munson and Mary Wyman. Also present was Village Administrator Karl Frantz, Deputy Clerk Karla Endres and Ben Zellers from Vierbicher. Compliance with the open meeting law was noted.

Approve Minutes

Minutes were not complete and will be ready for the next Plan Commission meeting in February.

Consider recommendation on General Development Plan rezoning application from C-2(P) to planned unit development (P.U.D.) property located at 4610 University Avenue (Pyare Square) for an apartment housing development

Mr. Sundquist clarified that the Plan Commission was not here to make a decision tonight. They are simply looking at the concept to change the zoning and consider all merits. Mr. Sundquist also made a statement that is enclosed with these minutes for record purpose.

Mr. Bornstein explained the proposed six story apartment housing project. The second phase might be four stories of elderly housing. He mentioned that the population was not a substantial difference and this project would be developed over five years.

Ms. Dittrich questioned whether the elevation from University Avenue would be six stories or seven. Randy Bruce stated the floors would be nine and a half feet tall from floor to floor. Ms. Dittrich's second concern was if the apartments don't rent well, who takes on the financial responsibility.

Mr. Etmanczyk said there was no economic feasibility study accomplished yet and questioned why the proposed project was 100% section 42 housing versus 40-60%. Without an economic and services feasibility study, he can not feel prepared to vote on this.

Mr. Wellensiek wanted more clarification on the height of the project. Mr. Bornstein said it was sixty five feet on the University Avenue side and seventy eight feet on the back side. He also questioned the idea of a CCRC (continuing care retirement center) and why that wasn't in the proposed project.

Mr. Sundquist questioned that if the Plan Commission were to approve the concept, how would Mr. Bornstein ensure the project stay well maintained.

Mr. Benforado had five concerns about the proposed project: height and mass, financial factors, confidence, process and suitability for the site. He also expressed that he was in no hurry to make a decision on this project.

Mr. Bruce explained that the project would be made of non-combustible materials, which would increase the building cost 2-5% according to the Fire Chief. Mutual aid was also mentioned as an alternate option.

Ms. Wyman stated her concerns are that the financials don't coincide with the erratically changed plans. That the building should be "green built" standards and should take transportation in to consideration. There was concern that the bicycle parking was cut by 50%, but Mr. Bruce corrected the Commission that it was an oversight and there was no intent to decrease the bicycle parking.

Mr. Munson stated that he did not agree on the previous condo project nor does he support the decision they are faced with now concerning this current proposal. His concern is the 125 residential units in one location. He would like to know what good this proposes for the Village or if it is strictly developers profit. He stated his concerns have nothing to do with the section 42 housing. 125 units of any type of housing here is too much.

June Lee, owner of the Pyare building, made the statement that he owes one and a half million on the building and is trying to sell it for four and a half million.

Mr. Sundquist made the suggestion that since there was a lot of information to digest prior to making a decision, the action be deferred minimally until next month.

David Brown, 3418 Circle Close, opposed project

Claudia Brown, 3418 Circle Close, opposed project

Jenny Armstrong, 1114 University Bay Drive, opposed project

Amy Keenest, Indian Hills, Tomahawk Trails, in favor of project

Paula Hogan, 3417 Crestwood Drive, opposed project

Mr. Wellensiek stated he would like Mr. Sundquist's opening comments from tonight's meeting added to the minutes for the record

Recess 8:34 pm

Consider recommendation on proposal to undertake a fiscal impact analysis for redevelopment in the Village, with a focus on redevelopment containing residential components

Mr. Frantz suggested the idea for Village staff to work with Vierbicher in efforts to reduce the cost on collecting necessary data.

Mr. Munson stated that the environmental impact should be included as well as the fiscal impact.

Mr. Benforado is not in favor of spending \$18,000 on an analysis from Vierbicher. He would like the list divided out into sections that could be gathered by Village staff.

Ms. Wyman would like to see a broader analysis versus one specific to proposed project.

Mr. Frantz suggested that Village Staff retrieve base data on Fire, EMS and Police details as well as budgets, revenue streams, assessed values, and base data on rental units.

Mr. Sundquist suggested that Karl Frantz and Ben Zellers meet outside tonight's meeting to break down the costs and recommend to the Board a reduced scope and fee.

Mr. Wellensiek moved and Mr. Munson seconded the recommendation to hire Vierbicher to do fiscal analysis not to exceed \$18,000. Vote passed 6-1. Mary Wyman voted against the motion.

Consider recommendation on general development plan (GDP) rezoning application from C-1 (P) to Planned Unit Development (P.U.D.) property located at 3306-3314 University Avenue (ATT Plaza) including potential lease or acquisition of Village property

Mr. Bricker, JSD- spoke on the parking structure and how it will allow for plantings to the east of the building.

Mr. Frantz asked where the ventilation for the parking structure would be located.

Mr. Bricker confirmed it would be to the west of the building

Mr. Etmanczyk wanted clarification on the swapping of Village parking stalls for the entrance way off Shorewood Blvd. He has concerns about Village residents getting in and out of the Village and Shorewood Blvd.

Mr. Bricker stated there would be four exits from development.

Ms. Wyman asked if there would be rent incentives to promote alternate transportation to save on parking issues.

Ms. Dittrich explained that she is bothered by the four story assumption for the project and not just because of aesthetic reasons.

Mr. Etmanczyk mentioned that a project like this will set the scale for other redevelopments in Shorewood Hills. (i.e. Shorewood Shopping Center)

Mr. Rifkin can require staggered office hours from his tenants to help with the traffic issues.

Mr. Benforado likes the proposed project and thinks the Village should move towards approving. He is confident in the GDP but not in the SDP.

Mr. Frantz said the ordinance incorporates the GDP usually

Mr. Sundquist suggests approving concept of GDP.

Mr. Benforado moves and Mr. Wellensiek seconds recommendation to the Board of agenda item #6 approval of rezoning the P.U.D. and approval of GDP to property located at 3306-3314 University Avenue (ATT Plaza) including potential lease or acquisition of Village property.

Mr. Sundquist stated the missing factors were the developer's agreement, lighting, mechanicals, driveway map, and additional traffic review.

Voted: motion approved 6-1. Jill Dittrich voted against the motion.

Mr. Munson requested a rough diagram of plans for Shorewood Blvd to the Plan Commission for the next meeting along with Hill Street.

Santhia Brandt, 933 Cornell Court, addressed her concerns for the need of generous parking and concern over losing Village Hall parking stalls. She dislikes the Village property being sold off.

Consider possible recommendation on specific development plan (SDP) rezoning application from C-1 (P) to Planned Unit Development (P.U.D.) for property located at 3306-3314 University Avenue (ATT Plaza) for mixed use office and retail development

Deferred until February 9, 2010 meeting.

Set next meeting dates

February 9, 2010

Mark Sundquist- adjourned meeting at 10:38 pm

Respectfully submitted,

Karla Endres
Deputy Clerk

Enclosed: Statement from Mark Sundquist

Thank you for coming

HAPPY NEW YEAR

I would like to make a few comments about the proposal before us to change the zoning for the Pyare property.

At this time we are not being asked to approve the construction of the buildings, nor are we in any way committing ourselves to provide TIF money. Furthermore we are not committing the village to approve a building unless it meets the requirements of our comprehensive and neighborhood plans, the overlying zoning code, and the particulars of our stringent fire protection, storm water, lighting and noise ordinances.

Now this is clearly a sensitive issue to many village residents, and the Plan Commission is well aware of that, as is the Village Board. It should come as no surprise that it is also a sensitive issue to the greater metropolitan area. We can expect to be in a fishbowl, and we welcome journalists and a representative of the ACLU here tonight.

It is my hope that – as usual – we can approach this proposal on its merits, and evaluate its impact based on comparable developments and independent estimates from our own consultants.

There were a number of concerns expressed at the meetings last month which I would like to take a moment to address. I am not doing this as a proponent of this particular proposal, but as a proponent of rational evaluation, and would emphasize that as a village we can demand quality projects, environmentally and architecturally sound design, and a guarantee of long term viability. However, we cannot take action based on discrimination against a class or other ill-defined group like “apartment dwellers” or “people who don’t own their own homes.” The Village has put multi-family residential into its comprehensive plan and its Marshall Court and Pyare/Walnut Grove master plans. We have also approved a general

development plan for condominiums to be built in the existing Pyare Square building.

The first concern, both from the residents and the Plan Commission was that the project was a big increase in population to swallow. I would suggest that the population increase from the buildings proposed here are not much different than what we approved in the Pyare condo project or what we wrote into the comprehensive plan. Why is adding 200 people in condos acceptable and adding 200 people in apartments not? Should we be surprised if such a difference in our reaction is construed as discrimination?

The second major concern is that the village would have a disproportionately increased demand for services. We are looking at data for comparable apartments in the Madison area, and our initial assessment is that this is not the case for emergency services, and certainly not the case for the crew, as snow plowing and the leaves, brush, and garbage pickup would be the responsibility of the building owner. BUT even if there were increased demand, in the eyes of the state and larger community, it is the responsibility of every municipality to handle its share of the services for residents of all income levels. I don't think we can argue that we cannot afford it, and I would hate to think that we as a village would say that we should not have to pay our fair share.

Some suggested that the existing building is too good to tear down and that we should wait for the right use to come along. For commercial use this is completely at odds with what we have been told by many sources, namely that the small floor size and low ceiling height make it obsolete for modern commercial use. We have seen the building gradually become empty, despite its location, and there is no reason to be optimistic that it will again be an office building, and even if it were, it would need significant upgrade to eliminate the surface parking and improve the storm water management, as it basically has none now. Use for condominiums is possible, but is it justifiable to wait 5 or 10 years for this to happen, and thereby preclude any improvement in the terrible stormwater situation and the lack of property value?

There were other concerns expressed at the December meetings, but I will not take the time to address them now, but some of them fall into the impact and services area, and some concerned the pace of the approval process. We will have an opportunity to discuss these later.

Again I would like to emphasize that I am not advocating for this project, but instead advocating for a fair and rational evaluation, based on the project merits. I would suggest that we consider that over the last many decades the house prices in the village have risen far faster than in the rest of the county, and as result, the demographics of the village have been shifting away from many professions who could and did move here years ago. It is possible to argue that apartments are simply a way to restore the diversity of income levels the village historically had.

And finally regardless of the outcome of this zoning change request, any building built in the village will have to be

- attractive, well designed and built
- modern, energy efficient
- safe
- well managed and maintained
- and that there will be a developer's agreement which guarantees this for the long term.