

APPROVED MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS PLAN COMMISSION

The Tuesday, August 7, 2018 meeting of the Plan Commission was called to order at 7:00 pm by Chair Dave Benforado. Members present were: Mr. Benforado, Deb Remington, Karl Wellensiek, Earl Munson, Brauna Hartzell and John Imes. Mr. Imes arrived at 7:05 pm. Jim Etmanczyk was excused. Also present was Karl Frantz, Village Administrator and David Sykes, Administrative Services Manager/Deputy Clerk. 15 visitors were in the audience.

Mr. Frantz confirmed the meeting had been properly posted and noticed.

Overview of open meetings law frequently asked questions and discussion

Mr. Benforado explained the open meetings law was discussed at a recent Board meeting and that all the Village committees have been provided a document with selected frequently asked questions from the League of Wisconsin Municipalities website. The Commission reviewed communicating about Village business via telephone or e-mail, discussing items not specifically designated on the posted agenda, and specificity of items on an agenda.

Consider recommendation on specific development plan (SDP) for property located at 2801 Marshall Court involving mixed shared workspace, café, food service, event space, daycare uses

Mr. Benforado reported that the Board of Trustees received a presentation from the developer and comments from the public at its July 16 meeting. The Board unanimously approved (7-0) the first of three readings of the general development plan (GDP) ordinance. At this meeting, the Commission will receive a presentation on the SDP from the developer, hear from Village consultants that have reviewed the SDP, and hear public comment before considering the SDP. Duane Johnson of Knothe Bruce Architects presented the changes to the previously submitted SDP that addressed questions or concerns mentioned at the July 10 public hearing on the GDP. The site layout has not changed but he pointed out that there are two separate entrances for the daycare and restaurant. They reviewed the daycare licensing requirements and there are no restriction on having a restaurant that serves liquor next door. He confirmed that the parking on the east side of the building on Catafalque drive will be short term parking with the south most stall serving as a loading/delivery area. They included language in the SDP that there will be no deliveries from tractor-trailer vehicles. There is a delivery entrance on the south side of the building away from Marshall Court. He stated the child play area meets and exceeds the requirements for the size of the daycare planned. There will be 64 underground parking stalls. The outside seating area is set back 80' from Marshall Court, so noise should not be a concern and they must comply with the strict Village noise ordinance. The restaurant capacity will not exceed 130 patrons based on Fire Code restrictions. There was a lot of concern about the "bar" at the public hearing. Mr. Johnson explained the area designated as the "bar" in the plans is a combination of a bar area and a café area. They will be sharing the space throughout the day with the café providing food, coffee, etc. during the day. The "bar" will only be open when the restaurant is open. He addressed the concerns about light from inside the building. The stairwell and reception area will use dimmer controls when unoccupied and they plan to include automatic blinds that cover the north facing windows at 10:00 pm to prevent light bleed onto Marshall Court. The rooftop equipment will be screened and sound baffled to reduce noise. The building

has been structurally designed and there is space allocated on the roof for solar panels. They fully intend to include solar panels but at this point it is hard to fully commit to it.

The developer also submitted a sign package for consideration and would appreciate feedback. Mike Slavney of Vandewalle & Associates (planning consultant) said the applicant thoroughly responded to Plan Commission requirements and the details brought up during consideration of the GDP at the July 10 meeting. He reminded the Commission that all Village zoning regulations will apply to this project (i.e. noise ordinance, dark sky ordinance), unless the GDP specifically overrides them. Mr. Slavney feels the SDP meets the submittal requirements and he recommends approval.

Jeff Held of Strand Associates (traffic consultant) said the parking meets the needs of this mixed use project and should alleviate some of the pressure for parking on Marshall Court by accommodating this buildings parking needs. Since the July 10 Commission meeting, Strand performed traffic counts on Marshall Court. Mr. Held provided a report for vehicle counts and speed on the east and west ends of Marshall Court from July 25-August 1. He said traffic was typical for this type of street, about 1,600-1,900 vehicles per day (vpd). It is similar to University Bay Drive (north of Highland Ave) and Edgehill Drive. Average speeds were <25 mph. There was concerns about bikes on Marshall Court being unsafe. Mr. Held indicated that 3,000 vpd is the point where bike lanes are typically separated from vehicle lanes. Marshall Court is not yet at 3,000 vpd and in his opinion, the nature of the street leads to lower speeds which are inherently safer than other similar streets.

Mr. Munson asked about future development and what we should expect in the future. Mr. Held replied 3,000 vpd may be the threshold where the street doesn't function as intended. In 2016, when Strand did a review of its 2008 traffic study, they found development was happening as expected. There has been increased traffic with development but this was also expected.

Maureen Rickman of Psychiatric Services talked about her business that has been on Marshall Court for 50 years. It started there because it was an attractive space with parking available in front of all the businesses. As times have changed, they have tried to maintain or expand their parking options. She is concerned that intermittent parking pressure due to use of the Lodgic event space will be detrimental to her clinic.

Mr. Held clarified the event space configuration and the conference room spaces. He feels his estimates for parking needs include the use of the spaces and that there will be adequate parking. Michael Stiennon, 2814 Marshall Court, pointed out that the traffic count estimates are getting close to 3,000. He suggested the Village put in place a mechanism to evaluate traffic and parking after the Lodgic businesses open and make adjustments if either become problematic. He is also concerned about construction pressure on Marshall Court and were construction workers will park.

Mr. Held clarified that his estimates are that there will be an increase of 200-300 vpd coming to the Lodgic building that would be added to the 1,600-1,900 vpd they recorded during recent traffic counts.

Peg Olson, 2822 Marshall Court, asked about the elevator location and accessibility. She also doesn't like all the signage, she feels they are overdoing it by labeling everything.

Mr. Johnson pointed out the elevator location and said the building meets all ADA requirements. Erhard Joeres, 2822 Marshall Court, was concerned about the sound from the rooftop units and suggested rearranging the gate/opening to the south side. He feels the signage facing Marshall Court is not needed. With regard to the daycare, he recommended Lodgic reach out to the Waisman Center who has an early childhood development program. He appreciates this project

compared to the one previously proposed and feels integrated beverage service with the restaurant is OK.

Ms. Hartzell asked if the underground parking will be available for restaurant patrons. Cheryl Farr of Signal Partners said yes.

Ms. Remington asked about nighttime security for coworking members. Ms. Farr said there would be some type of access system and a security company involved.

Mr. Wellensiek asked about the restaurant hours. Ms. Farr said they haven't formalized the hours yet but they do not expect the restaurant to be open past 10:00 pm on weeknights and 11:00 pm on weekends. The Lodgic in Champagne, IL shuts down at 9:00 pm on weeknights. She reiterated the bar will shut down with the restaurant.

Ms. Remington asked how they would ensure people didn't park at Lodgic and then go elsewhere. Rich Arneson of Stone House Development said there would be some mechanism to track those parking in the garage for the restaurant and coworking space. Others would be prohibited.

Mr. Munson said he thinks the project is great for Marshall Court. It is a mixed use development rather than apartments. He is concerned about the "bar" becoming a popular "watering hole." He feels the SDP should detail the space so that it is perceived as a tavern (serving food) rather than a bar. He assumes the event space will also allow alcohol and asked if there is any concern about the space being next to the child play area. He feels music should not be allowed in the outside area after 10:00 pm. Ms. Farr agreed that she does not want the "bar" to become a "watering hole." She expects it to be an amenity for the restaurant. Her research shows that their alcohol sales will be 23% of the restaurant's revenues. Restaurants on average have 25-30% sales from alcohol. The lower percentage is a result of the mix of daytime food sales. The event space and daycare share a wall but the childcare spaces are secured and monitored.

Mr. Wellensiek asked them to clarify the terms restaurant and café being used. He also has a problem with the word "bar." Ms. Farr said the café refers to food served during the day, to go items that are "fast/casual dining". The restaurant is more of a typical sit down meal. Mr. Slavney offered that in Wisconsin the term tavern may imply more of a food service component than bar. Mr. Arneson gave the example of Applebee's which is signed as "Restaurant and Bar" and advertised as a family restaurant. Ms. Farr added they need "loud" signs for their Champagne, IL facility because it is setback a long way from the main road. They could consider modifications to the signage (including the word "bar") to meet the local conditions and feedback from the Village.

Mr. Imes said he is not concerned about the word "bar." He feels those looking for a bar may be disappointed with this development. He likes everything else about the project.

Ms. Remington asked if the SDP applies to the building if the Lodgic businesses don't work out.

Mr. Slavney explained that the SDP remains intact until amended by the Commission. If there is a change to the details of the SDP or change of business, the developer would be required to come back to the Plan Commission for an amendment to the SDP.

Mr. Munson moved and Mr. Imes seconded a motion that the Plan Commission finds the SDP submittal is fully consistent with the submitted GDP and recommends the Board approve the SDP as modified per the following:

1. The exterior lighting plan dated June 2, 2018 and included in the GDP submittal, shall be considered part of the SDP submittal.
2. The project shall not be served on a regular basis with deliveries or pick-ups by semi-tractor/trailer trucks.

3. Exterior signage shall be subject to subsequent detailed submittals and design review by the Plan Commission.
4. The rooftop noise enclosure opening, if needed, shall face University Avenue.
5. Understanding by the owner and operator that service of alcohol will primarily be intended as a compliment to the food service.
6. Hours of operation will be included in the SDP rather than the GDP.

Vote: Approved 6-0

Review and recommendation on certified survey map (CSM) involving property 2725, 2801 Marshall Court and 2840-2862 University Ave

Mr. Frantz reported that the Village Engineer had reviewed the lot line adjustment in the CSM and found it meets zoning regulations. The CSM will allow for acquisition of land to complete the bike path south of University Station and dedicate land for Catafalque Drive.

Mr. Wellensiek moved and Ms. Remington seconded a motion that the Board accept the CSM involving property at 2725, 2801 Marshall Court and 2840-2862 University Avenue.

Vote: Approved 6-0

Approve previous meeting minutes

Mr. Benforado suggested a clarification to his comment on the Lakefront Setback Line.

Ms. Remington suggested a change to the description of Attorney Laura Callan's memo regarding the private covenants related to the CSM on Beloit Court/Harvard Drive. Ms. Remington also pointed out several typos.

Ms. Hartzell moved and Mr. Imes seconded a motion to approve the July 10, 2018 meeting minutes with the changes.

Vote: Approved 5-0-1 (Mr. Munson abstained)

Adjourn

The meeting was adjourned at 8:58 pm.

Respectfully submitted,

David Sykes
Administrative Services Manager/Deputy Clerk