

**MINUTES FOR THE VILLAGE OF SHOREWOOD HILLS  
PLAN COMMISSION**

The Tuesday, November 13, 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, Jim Etmanczyk, Earl Munson and Brauna Hartzell. Karl Wellensiek and John Imes were excused. Also present was Karl Frantz, Village Administrator and David Sykes, Administrative Services Manager/Deputy Clerk. About 18 visitors were in the audience.

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

**Consider approval of replacement signage at Steve's Wine Market 3618 University Avenue**

Mary Beth Brown of Ryan Signs explained the sign permit application. The old sign that has fallen down had 18½" letters. The new sign has 30" high letters that are RGB LEDs and can change color. Ms. Brown said 30" letter were chosen because they better fit with the scale of the building and they are within square footage requirements of the zoning regulations.

Ms. Remington asked about the background color. Ms. Brown stated they would be individual letters mounted directly on the wall.

Mr. Munson asked if the colored lights would flash. Ms. Brown said these lights do not flash and even if they did, the business manager does not intend to have them flash.

Mr. Frantz indicated the reason for Ryan Signs to appear is that the Planned Unit Development (PUD) zoning for the Kohl's area redevelopment specifically regulates the signage on all the buildings. He determined this is a minor change that needs to be approved by the Plan Commission.

Mr. Munson moved and Mr. Etmanczyk second a motion to approve the replacement sign as a minor change to the PUD zoning.

Vote: 5-0 (approved).

**Consider approval of emergency shoreline stabilization construction/restoration measures due to erosion/cave-in at 3620 Lake Mendota Drive**

**Consider approval of emergency shoreline stabilization construction/restoration measures due to erosion/cave-in at 3626 Lake Mendota Drive** (these two items were considered together)

Eric Hovde of 3620 Lake Mendota Drive explained the resulting mudslide and damage to the shoreline at his property and the Rhody/Neville property at 3626 Lake Mendota Drive.

In June, he hired a landscape firm to work on his back yard. The landscaper had been watering new grass all week, and then on June 16 there was a severe storm that deluged the area. The resulting mudslide collapse the west side of his lakeshore and damaged the pier and boat lift below.

The historic August 20 storm dropped ~12" of rain in the area and caused a large oak tree to fall into the lake collapsing the east side of his property and part of the Rhody/Neville property.

Mr. Hovde has been in contact with the DNR and Dane County lakes authorities about removing the debris and mud from the lake. It has been difficult to get crews to do the work.

They have looked a number of potential solutions to the mudslide problem. The conclusion is to rebuild the slope with a terracing effect. They plan to use modular block anchored into the

ground with soil nails to stabilize the ground to create a series of retaining walls with vegetative screening in front of them to reduce the impact when viewed from the lake.

Jared Vincent, Landscape Architect of Saiki Design, reviewed the design plan submitted. The damage crossed property lines, so the repair will also cross property lines to maintain stability of the cliff. He described in detail the retaining walls with some level spots for plantings to screen the structures from view. The walls would be anchored into the ground with soil nails.

Mr. Frantz explained that the normal process would be a conditional use permit because of the amount of soil being moved and that construction would occur on property north of Lake Mendota Drive. After meeting with the property owner, the extraordinary circumstances may require immediate action to stabilize the land before the winter. He is concerned that the inevitable freeze/thaw will cause further damage, increasing the sediment going into the lake. If possible, the land should be shored up for the winter for the sake of the environment.

Mr. Hovde concurred that winter will only exacerbate the problem. The majority of the cliff work will need to be done from barges on the lake. The weather currently has not allowed work to be done due to wind, rain, cold.

Leonora Neville of 3626 Lake Mendota Drive added that this is an environmental and financial disaster. They have lost land and need to stabilize the area before more damage occurs. She and her husband support the plan developed by Mr. Hovde and his consultants.

Mr. Etmanczyk asked how much work they thought could be done before winter. Mr. Vincent said he just determined the best solution to the problem and weather is not being cooperative. Ideally, they could get the base walls and lower retaining walls on the east and west installed to prevent more erosion.

Ms. Remington asked if other lots had been similarly damaged. Mr. Hovde said yes, but not to the degree of this land failure.

Mr. Hovde also explained that there are preventative measures engineered into the plan. It is designed to keep the landscape stable by diverting water flow from traveling across the landscape.

Mr. Vincent added he would prefer to infiltrate the water but to stabilize the underlying sandstone; they need to keep the ground dry. A series of pipes will take water from collection areas directly to the lake.

Ms. Hartzell asked what could be done to prevent erosion over the winter. Mr. Vincent said the loose soil has been removed but not much else can be done.

Mr. Benforado moved and Mr. Munson seconded a motion to authorize emergency shoreline construction and stabilization measures for properties at 3620 and 3626 Lake Mendota Drive as proposed on the design plan dated November 8, 2018, highlighted in pink and yellow (see attached) subject to the conditions listed below and the property owners will come back for formal conditional use permits for the remainder of the project within the next month or so.

Conditions: Approval of an erosion control plan, approval of a traffic control/parking plan and they must obey the Village's noise ordinance.

Vote: 5-0 (approved).

### **Review status of Village planning and consultant selection for Garden Homes planning and any recommendations**

Mr. Frantz suggested the Village might want to take a proactive approach with respect to Garden Homes rather than reacting to a developer's proposal. He explained the Village could use a planner they have used in the past. Vierbicher assisted with the Comprehensive Plan in 2009 but

the planners involved (Gary Becker and Ben Zellers) have moved on from Vierbicher. Vierbicher has been doing TIF analysis and planning for the Village but recently has had perceived conflicts of interest on a couple of projects doing work for developers. On those recent projects, the Village has used Vandewalle & Associates instead. The Plan Commission and Board could decide to go through a formal interview process. Mr. Frantz has identified six firms that could do the work. His preference is Vandewalle, based on qualifications, familiarity, resources and their ability to mobilize quickly.

Mr. Benforado added that Mr. Wellensiek could not attend this evening but indicated to him that he would support Vandewalle and the scope of work they submitted recently. He said 15 homes have already been demolished in Garden Homes. He would like to move forward and start promptly. Vandewalle indicated the planning process could be done in three months (longer if desired) and suggested starting January 1.

Mr. Frantz indicated the scope of work submitted by Vandewalle was for \$27,500 and most of it would be TIF eligible.

Ms. Hartzell asked if there would be a benefit to talking to other planners to get ideas not included in Vandewalle's scope of work.

Mr. Munson said feeling comfortable with the planning firm may be as important as the cost. He also asked what would be the goal of the planning exercise.

Mr. Frantz said the goal would be a recommendation to the Board on property use based on public input, developer's proposal and economic feasibility. The main thing would be a public process.

Mr. Munson added that the Pyare Neighborhood Plan did all of this previously. He asked if a new plan needed.

Mr. Benforado said he would like to compare the old and new plans and possibly revise the Comprehensive Plan.

Mr. Frantz said that whatever is built in Garden Homes would need to be rezoned. The lots do not conform to the present R-2 zoning. It is possible that some lots could be combined to conform to the zoning regulations.

Mr. Benforado offered the audience an opportunity for public comment.

Dave Yaeger, 3910 University Avenue, asked if the Village wants to see redevelopment of the whole area at one time or piece by piece.

Leslie Clark, 838 Maple Terrace said she does not want to see Maple Terrace open to University Avenue. She is concerned about a large building being built that could flood neighbors.

Bob Sullivan, 810 Burbank Place, said the Comprehensive Plan exists, why is the Village considering a planning process until a development is proposed.

Dan Funk, 834 Maple Terrace, reiterated that the Comprehensive Plan exists, do we need to do anything. Mr. Benforado said the Plan is almost 10 years old and due to be revised. This planning process would allow for resident input rather than reacting to a developer.

Andi Funk, 834 Maple Terrace, said she is concerned about traffic and safety.

Mr. Frantz added that the Comprehensive Plan states that Garden Homes should be kept as it is but much of what it was is no longer there. The Plan does not take into account what happened recently.

Tom Brock, 1227 Dartmouth Road, said flooding should be the number one concern. Any redesign of the area should prevent future flooding.

Ann Helsley, 817 Maple Terrace, said the Comprehensive Plan states Garden Homes should remain single-family homes. She asked if townhomes meet the Plan requirements.

Ariel Ford, 3814 University Ave, said she is concerned about a developer building something that would impact the neighbors.

Jan Sullivan, 829 Maple Terrace, said if Burbank Place were to be developed, the neighborhood would essentially be lost.

Michelle Hatchell, 821 Maple Terrace, likes the idea of neighborhood input in the process. She wants to protect the neighbors related to flooding and that Garden Homes is about the only area in the Village with affordable housing.

Fannie Hicklin, 3814 University Avenue, feels quality is more important than quantity. The Commission should think about what they want to promote for Garden Homes.

Mr. Etmanczyk said that if you want the planning process to be done quickly, the Village should use Vandewalle and the proposed scope of work.

Mr. Munson said the Village should set a goal for the process. He favors keeping the special nature of Garden Homes. He does not prefer a developer to “wag the dog”. They should find a way to make the lots capable of satisfying the developer and the neighbors.

Mr. Benforado suggested a motion to recommend the Board approval of the Vandewalle scope of service. Mr. Munson asked to amend the scope of work to emphasize a plan to preserve the Garden Homes community.

Mr. Etmanczyk moved and Mr. Munson seconded to recommend the Vandewalle scope of service dated November 12, 2018.

Vote: 5-0 (approved).

#### **Approve previous meeting minutes**

Mr. Munson moved and Ms. Remington seconded a motion to approve the October 9, 2018 meeting minutes with a few typographic corrections.

Vote: 5-0 (approved).

#### **Adjourn**

The meeting was adjourned at 9:08 pm.

Respectfully submitted,

David Sykes  
Administrative Services Manager/Deputy Clerk