

MINUTES OF THE VILLAGE PLANNING COMMISSION MEETING
January 26, 2016

The meeting of the Planning Commission of the Village of Slinger was called to order by Chairman Brandt at 300 Slinger Road, Slinger, WI, at 6:30 p.m. on Tuesday, January 26, 2016 in accordance with the Notice of Meeting delivered to the members on Friday, January 22, 2016.

1. Roll Call & Notice of Meeting:

Planning Commission Members	<u>Present</u>	<u>Absent</u>
Russell Brandt, Chairman	x	
Elida Erovick		x (excused)
Lee Fredericks	x	
Bruce Hassler		x (excused)
Robert Stuetngen	x	
Bryant Moritz	x	
Lisa Brux		x (excused)
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Also Present: Jessi Balcom, Village Administrator
Marty Marchek, Village Planner
Jim Haggerty, Village Engineer
Margaret Wilber, Village Treasurer

Chairman Brandt informed the members present that the open meeting law had been complied with in connection with the meeting. Notice of the meeting was sent to all that requested same and posted in three public locations.

2. Approval or Correction of Minutes:

A. Planning Commission Minutes From 12-16-2015

Motion Stuetngen/Fredericks to approve Planning Commission minutes from 12-16-2015 as presented; carried unanimously.

3. Public Hearing & Possible Action Thereon:

A. Consider Request from the Slinger Housing Authority (SHA) for a Conditional Use Permit (CUP) Related to the Scenic View Apartment Buildings at 205 Slinger Road (40 units) and at 207 Slinger Road (8 units). Current Rm-2 Zoning Regulations require a CUP for Buildings Exceeding 4 units in size. Both buildings were constructed in the 1980's when a CUP was not required for such buildings. This Action Provides Full Compliance with Current Rm-2 Zoning Requirements. (SHA Agent is Carol Biersach).

Chairman Brandt read the notice of public hearing for this matter and stated that all posting requirements had been met. Treasurer Wilber informed the Commission that no comments on the action had been received prior to the meeting.

Chairman Brandt opened the hearing for public comment at 6:32pm. There being no comments, the public comment portion of the hearing was closed at 6:33pm.

Planner Marchek explained that this is a corrective action needed to bring the SHA into compliance with present zoning requirements. He stated that the Housing Authority is in the process of applying for low-income housing tax credits with the Wisconsin Housing and Economic Development Authority (WHEDA). Planner Marchek stated that part of this application asks for Village confirmation that proper zoning is in place and while researching this, staff discovered that a CUP should have been issued when the zoning was changed several years ago.

Planner Marchek presented a draft CUP for the Commission's review that contained the following conditions:

1. This Conditional Use Permit (CUP) is being issued to the Slinger Housing Authority for the subject 40-unit & 8-unit buildings.
2. This Conditional Use Permit shall run with the land and the benefits and burdens hereby granted shall apply to subsequent owners of the premises subject to the limitations described herein and as allowed by applicable laws.
3. Exterior changes to the subject buildings or to the subject site shall be constructed in accord with site, architectural, landscaping and lighting plans as approved by the Village's Planning Commission.
4. The subject buildings shall be used as rental apartment buildings.
5. Amendments. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the subject property except as described in applicant's written and graphic descriptions of the project, on file with the Village Clerk), or structures, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
6. Plan Amendments. Unless this Conditional Use Permit expressly states otherwise, plans that are specifically required by this Conditional Use Permit may be amended by the Village Plan Commission if the Village Plan Commission finds the plan amendment to be minor and consistent with the Conditional Use Permit. Any change in any plan that the Village Plan Commission, in its sole discretion, finds to be substantial shall require a new permit, and all procedures in place at the time must be followed.
7. Applicant and Owner Agreement. As a condition precedent to the issuance of this Conditional Use Permit, the owner of the subject property shall approve the issuance of this Conditional Use Permit upon the terms and conditions described herein in writing, and the applicant is required to accept the terms and conditions of the same in its entirety in writing.
8. Severability. Should any paragraphs or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of this Conditional Use Permit and the remainder shall continue in full force and effect.

9. Conflicts. If any aspect of this Conditional Use Permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.

Adam Templer with Bear Development appeared before the Commission and explained that having the CUP in place will provide additional qualification points for the SHA's application. He stated this would not be a deciding factor, but it would increase the SHA's competitive advantage in the application process. Mr. Templer informed the Commission that the WHEDA tax credits will be used to provide financing needed to rehabilitate the buildings. He stated that as listed in the public hearing notice, the project will involve interior upgrades and new roofing but no expansion of the buildings is being proposed. Mr. Templer stated that applications are due this Friday, January 29th and awards will be announced in April.

Trustee Dean Otte explained that the office of Housing and Urban Development (HUD) used to provide adequate funding for operations and for capital improvements, but those subsidies have been significantly reduced over the years and new funding sources are now needed.

Motion Stuetgen/Fredericks to approve the Conditional Use Permit as presented to the Slinger Housing Authority for the operation of 2 buildings exceeding 4 units in size; carried unanimously.

Planner Marchek informed Mr. Templer that he would issue a letter confirming the CUP's approval. He stated that a copy of the CUP could be provided with this letter if a representative from the SHA is available to sign.

4. Unfinished Business, Review & Action Thereon:

A. Discuss Potential Off-Street Parking Areas in the Village's Downtown Area

Planner Marchek presented a map of the downtown area showing a few parcels outlined, along with a chart showing assessment values for the parcels selected. He stated that staff had been directed to compile this information at the November 2015 meeting for the Commission's review. He stated that while the parcels could possibly provide additional off-street parking for the downtown area, there were many factors that must be considered before any further action could be taken.

Engineer Haggerty discussed the challenges involved when working with any lots in the downtown area that were created and platted over a hundred years ago. He stated extensive research would be needed to determine property lines, easements and utility placements, for example. Administrator Balcom stated it is very common for older-platted areas to have gaps and overlaps in the lot lines. She also pointed out that the parcels under consideration are privately-owned and the owners have not expressed any interest in selling them. Planner Marchek stated other issues included grading differences and stormwater requirements. He stated that based on his previous experience with constructing parking lots and structures, they are expensive projects even under favorable conditions.

Discussion was held on the potential development of the downtown area. Commission members agreed that downtown parking will need to be addressed at some point, but at this time there doesn't seem to be sufficient development in the area that could be used to help finance parking and other improvements.

Kelly Henrickson from the Slinger House stated that his business brings in approximately 80,000 visitors a year and it was his belief it could attract many more if other investment could be made in the area. He stated there are several older buildings in town that are in various levels of disrepair but could be rehabilitated for new purposes. Planner Marchek stated that he worked for the City of Cedarburg for nearly 20 years and most of the building rehabilitation that took place there during that time was done by private investors who were mainly interested in preserving the old buildings.

Commission members stated it is important for Village officials to work with local business and property owners to develop a common vision for the downtown area, and then determine the best ways to work towards that vision. Chairman Brandt stated that this could possibly be discussed with Vandewalle & Associates since the Village will be working with them to promote economic development. Planner Marchek stated that staff could expand their review of downtown parcels and work with the Building Inspector to complete a blight inventory of the area.

5. New Business, Review & Action Thereon:

A. Discuss Alternative Zoning Methods to Comply with Recently Enacted Wisconsin Act 95 Related to Allowing Placement of Columbarium on Church Premises

Planner Marchek informed the Commission that recent State legislation requires some kind of action on this matter since columbaria have been exempted from regulations governing mausoleums or cemeteries provided they comply with certain conditions. He stated there were two options for handling this: the Village could add this as an accessory permitted use or it could be included as a conditional use which would require the usual CUP procedures.

Commission members discussed this and agreed that using the CUP process would create unnecessary work for the applicant and the Village. Staff was directed to develop a draft of the ordinance text needed to add columbaria as an accessory permitted use to the Institutional zoning code.

6. Status Reports: None

7. Status Reports: None

Motion Stuetgen/Fredericks to adjourn at 7:35pm; carried unanimously.

Approved By:

Russell E. Brandt, Chairperson

Drafted by: Margaret Wilber, Village Treasurer