

**VILLAGE OF ELM GROVE
BOARD OF TRUSTEES
June 24, 2019**

Present: President Palmer, Trustees Cornell, Michalski, and Domaszek. Trustees Irwin, Haas, and Kressin excused.

Also Present: Village Manager David De Angelis, Village Clerk Mary S Stredni, Zoning/Planning Administrator Thomas Harrigan, and Assistant Village Attorney Chris Koehnke.

President Palmer brought the meeting to order at 7:35 p.m. Mary S Stredni took the roll.

President Palmer led the Pledge of Allegiance.

1. Public Hearing

Resolution 062419A For the Rezoning of EGV 1106038, 1106039, 1106997001, 1106997002, and 1106997003 From M-1 Limited Manufacturing District to B-2 Pursuant to Village Ordinance §335-76.

Jan Schoenecker – 13805 Juneau Blvd. – Stated that this is not the first time re-zoning has come up for the Reinder’s properties. Opined that this has been discussed for the last 40 years. The north portion of the property was re-zoned to B-2 in the mid 90’s. Citizens overwhelmingly want this area to be mixed use; not limited manufacturing. Studies have shown that residents want to return to a ‘go to’ place in the downtown area. M-1 zoning does not belong in the middle of town.

Mary Inden – 14745 Watertown Plank Rd – Opined that she is very disturbed regarding this process. The current zoning is a good use for the property. Rezoning this property is a monumental change for the Village. The process is too rushed and not fair.

Sarah Wynia-Smith – 13380 Gremoor Dr. – Representing the younger folks in the Village and stated that they want mixed use. Want downtown to be a place where they can walk. Opined that the Village has been transparent in this process.

Jim Koleski – 940 Katherine Dr. – Opined that this process has been rushed without any community involvement. His understanding is that the property owner was not notified. If the property owner now does nothing, the area will be blighted. Encouraged Board of Trustees to work with the property owners.

Mary Pentler – 1020 Lone Tree – Zoning for mixed use would promote more connectivity for people. Storage units would not foster community; not what Elm Grove is – a quaint village.

Mike Hamilton – 13130 Watertown Plank Rd #311 – Agrees that younger people want more to walk to and to have things in downtown area to do. Most of the people living in the Watermark are people who have lived in the Village and want to stay here. Elm Grove needs more housing for those who are downsizing. Grateful for what the Board of Trustees has done.

Brian Fisher – Germantown – representing the storage units for Reinder’s. Turned in revised documents on Friday, June 21, 2019 and addressed the Ruckert Mielke questions as requested. The proposed storage building is not industrial looking. Opined that there is a real need for storage units in Elm Grove.

Jim Hunter – 13855 Juneau Blvd. – lives close to this property. Storage is very suitable.

Dean Crow – 13500 Watertown Plank Road – In favor of Reinder’s plan. Currently rents from Reinder’s and concerned about what will happen to this property as any change will affect his practice.

Laurie Reinders – 1005 Katherine Dr. – Currently does not have interest in this property. Storage would be a perfect option for Elm Grove residents. Stated concern that most of the small business in Elm Grove are struggling so does not believe that the Village can handle any more shops. Opined that most residents don’t want more traffic which businesses and residential units will bring. Does know that part of the property has seen ‘blight’ so now believes that the current proposal is a good one.

Steve Graff – 13130 Watertown Plank Rd #303 – Agrees that storage is a good idea, but Elm Grove does need more residential. There are other storage facilities in the area which residents can use. From the aspect of making the Village more attractive, mixed use/residential is preferred.

Betsy Haushalter – 13245 Lee Ct. – Concerned that the item is moving too fast and there is no input from the community. Does not want Elm Grove urbanized. Concerned that the 2017 proposal for a mixed use development did not materialize. Elm Grove needs more residential units.

Chris Walters – 1300 Victoria Cr. S. – Stated support of re-zoning; wants more foot traffic and more destination places in downtown Elm Grove.

Stew Elliott – 1180 Woodland Ave. – Stated his desire to focus on the tactic being used. Believes that the Village Board is proposing the re-zoning because of the way the property is being used. Opined he would prefer that the Village Board work with the property owner. As the owner of a large commercial property, it concerns him that a property can so easily be rezoned because the Village Board disagrees with how the property is currently being used.

Mark Reinders – R & R Investments – Opined that there has been very little input from residents or property owners regarding the Downtown Master Plan. The Plan is flawed; not much has changed since the 2007 Plan. It needs to be economically viable. Storage is the highest and best use of the property and is economically feasible.

As a business, self-storage is accelerating. Reinders is no longer in the retail business. Opined 85% of those utilizing the storage units will be from within a three mile radius. This business will only be two stories, have very little impact on traffic, does not need soil remediation or municipal water, and will not require more public safety services.

Jan Termuehlen – 1275 Orchard Ln. – Storage units are best use for property. If look at the reality of restaurants in Elm Grove will see that historically none have done well so see that mixed used for this property will not work.

Rick Fronberry – 1025 Lower Ridgeway – Questioned the Board on the proposal from School Sisters of Notre Dame. President Palmer stated that there is no proposal; the property owner has only inquired as to what would be allowed on the property if they were to sell. Fronberry opined that this is the location where housing belongs, not in the downtown area. Expressed objection to re-zoning M-1 properties and objected to the fact that it is being done too fast without community input. Opined that surveys have shown that residential is least desired in the downtown area.

Rick Reinders – 13400 Watertown Plank Rd. – Spoke representing his father Richard Reinders, part owner to the property in question. Believes there is a rush in this process. There should be communication between the Village and the property owners to develop a plan that makes sense.

Heather Weber – 13445 Tosca Ct. – Stated that she is a small business owner in the Village and would like more businesses for families to walk to. The current Reinders proposal may make sense. Re-zoning all of the property at once may hurt the potential of the Village.

James Crichton – 1625 Greenway Terrace - stated that conditional use should be stopped.

Attorney Matt O'Neill, Fox, O'Neill & Shannon – Milwaukee – Attorney for Reinders – Opined that this process is bad for re-zoning as it is not being done by the property owner. Stated that the Board is trying to stop the property owner. B-2 zoning is not viable. Reinders has lived with M-1 zoning. The B-2 density would not work. The current proposal is within the current zoning.

Attorney Brad Dagen, representing George Kanavas – Concerned with the process being rushed with no input from the property owner. Asked where is the feasibility study. There is no citizen input. Need to look at the long term viability. Stated that the Board should table item and engage in more conversation.

Mary Reinders – Brookfield – Stated that the portion of the property that is up for discussion is a mess, but there has been investment in the rest of the property.

As there were no other comments, President Palmer closed the public hearing.

2. Public Comment

Mary Inden – 14745 Watertown Plank Rd – Stated that the Junior Guild is again sponsoring the pool on July 4th. Admission will be free. The Revolutionary War Re-enactment group will be in the park on July 4th.

3. Agenda

Trustees Domaszek and Cornell moved and seconded to move the Plan Commission Resolution 062419C up. Motion carried.

President Palmer noted that the process for re-zoning has not been rushed. It was part of the Comprehensive Plan approved in 2007. At that time, all M-1 properties were referred to become B-2. A very long survey with a high turnout was done at that time. The survey said that residents wanted mixed use, not manufacturing. The Comprehensive Plan Document refers to mixed use for these properties. The Board wants to have options open based on many years of conversation.

President Palmer then asked if owners of R&R Investments would be willing to set aside their current proposal for a certain number of days and if so the Village Board of Trustees would also put aside the vote for this resolution for the same number of days. Mark Reinders and his attorney left the room to discuss.

Trustee Domaszek noted that he did not want to drag item out; would prefer to have discussion with the property owners.

Reinders and Attorney returned. Attorney Tom Shannon stated that Reinders would be willing to table the application if the Board of Trustees also tabled item. Willing to put into writing that application is in suspension for 90 days. Attorney for Kanavas agreed.

President Palmer moved to table action on Resolution 062419A for Rezoning of EGV 1106039, 1106038, 1106997001, 1106997002, and 1106997003 from M-1 Limited Manufacturing District to B-2 pursuant to Village Ordinance §335-76 for a period of 90 days as part of agreement with the owners of the properties to participate in discussions. Trustee Domaszek seconded. Motion carried.

4. Minutes

Trustees Domaszek and Cornell moved and seconded to approve the May 30, 2019 and June 6, 2019 minutes. Motion carried.

5. No Report of the Village President
6. Fire Department – monthly report in binder
7. Police Department– monthly report in binder
8. No EMS Department report
9. No report of the Village Clerk
10. Report of the Village Manager
 - A. Resolution 062419B Compliance Maintenance Annual Report
President Palmer and Trustee Michalski moved and seconded to approve. Motion carried.
 - B. Intergovernmental Cooperation Agreement between MMSD and Village of Elm Grove to Recognize Joint TMDL Implementation Initiatives.
President Palmer and Trustee Domaszek moved and seconded to approve the agreement. Motion carried.
 - C. Resolution 062419C Authorizing the Amendment and Signing of the Development Agreement Between the Village of Elm Grove and Elm Grove Heights LLC and the Recording Subject to Conditions.
President Palmer and Trustee Michalski moved and seconded to approve the Resolution as amended. Motion carried.

De Angelis noted that he received a rough draft of the downtown master plan and will send to the Board of Trustees in the next few weeks. Another open house will be scheduled in late August or early September.

11. Report of the Village Attorney – No report

12. Standing Committees

- A. Plan Commission - No report
- B. Library Board - minutes are in binder
- C. Public Works/Utilities - No report
- D. Public Safety – No report
- E. Legislative Committee - No report
- F. Park and Recreation Committee - minutes are in binder
- G. Administrative and Personnel – No report
- H. Finance and Licensing
 1. Operator licenses
President Palmer and Trustee Cornell moved and seconded to approve an operator license renewal for Mark Zepezauer and new operator licenses for Aarika Spalding, Donald St. George, Jennika Wirsching, Christian Viola, and Steven Szuminski. Motion carried.
 2. Vouchers

President Palmer and Trustee Domaszek moved and seconded to approve vouchers in the total amount of \$559,850.66. Motion carried.

13. No Other business

14. Adjourn

At 9:55 p.m. Trustees Domaszek and Michalski moved and seconded to adjourn. Motion carried.

Respectfully submitted,

Mary S Stredni, Village Clerk