

**City of Oconomowoc
Plan Commission Meeting Minutes
July 6, 2022**

Chairman Magnus called the meeting to order at 6:00 pm.

Members Present: Commissioners Gross, Brotheridge, Chairman Magnus, Valley, Frederick, Ellis and Vande Zande (6:15 pm)

Others Present: Gallo, Riffle, Duffy, Ald. Aultman Kloth and Dehnert

2. Approve Minutes of June 8, 2022: Motion by Frederick to approve the June 8, 2022 minutes; second by Brotheridge. Motion carried 6-0.

3. Comments from citizens specific to item on the agenda: None.

4a. Consider / recommend the preliminary subdivision plat for Prairie Creek Ridge Addition #6 to be located on tax keys #OCOC 0517.993; 0517.993; 0517.992; 0517.990; 0517.996.005; and 0519.999.006: Gallo explained this is for approval of the preliminary plat for a new 230 lot single-family subdivision located northwest of Prairie Creek Addition #5. The subdivision plat is located on 5 parcels and zoned Suburban Residential. The subdivision complies with the City's land use plan, zoning and density requirements. Gallo noted there is a 185' tall cellular tower located on an adjacent property which was approved in 2019. It was supposed to have a break away / hinged flange near the center of the tower which would cause the tower to collapse upon itself. The tower was built incorrectly so if the 185' tall tower fell, it could land in the front yard setback of Lot 423. City staff reached out to the current owner of the tower who indicated it will take time to study how the tower was built (they purchased the tower from the original owner) and research various techniques for correcting the issue. Gallo said there are 4 connections to other subdivisions; there will be a 40' landscaped berm along CTH K; and sidewalks are proposed for both sides of the street. Gallo said there is still a strong demand for housing, the applicant has a history in the City of good quality housing, and he recommends approval. Members shared concerns with the fall zone of the tower and wanted more parking areas. Riffle clarified corrections to the tower must be done or it will have to come down; this is already a violation of the conditional use permit so it's in their best interest to comply; and suggested adding a timeframe for when the corrections need to be made. The applicant, Mike Bickler said it will be 3 to 4 years before they are building homes and suggested they could add more parking stalls near the lift station and Whelan Drive. Gallo will work with the applicant on the parking issue. Motion by Frederick to recommend the preliminary subdivision plat for Prairie Creek Ridge Addition #6 located directed northwest of Prairie Creek Ridge Addition #5; second by Magnus. Motion carried 7-0.

4b. Consider / act on the Major Design Review Plans for the building addition for Pet Supplies Plus located at 1470 Olympia Fields Drive: Gallo reported this is for approval of the plans for a 6,600 sf addition to the former Kmart building. The property is zoned Commercial with a Planned Development overlay district. The plans conform with the comprehensive land use plan, zoning and parking requirements based on the new standard included in the PD. Site access will be from Olympia Drive and Commerce Street through easements. There are no concerns with landscaping, stormwater and utilities. Light poles will match others in the development, and the architectural design, colors and materials were approved with updates that include coping and color changes. Gallo said this is a nice addition and he recommends approval. Members questioned if there should be some area of green space for dogs to use or possibly remove a parking stall or two to make it green space. Ken Krahe of MSI suggested a 15 – 20' strip of grass on the south elevation of the building or the 1st or 2nd stall in front of the building. Members suggested Krahe work with Gallo to come up with an option for some type of relief area for dogs that doesn't look bad; should not mandate this for future businesses; agree with this change

but questions if creates a hardship; and asked if this type of change should be codified in some way or included in the CUP so it doesn't affect other future businesses. Motion by Ellis to approve the Major Design Review Plans for the building addition to the Pet Supplies Plus at 1470 Olympia Fields Drive with a recommendation that a minimum of 1 stall be included for pet relief and the applicant should work with Gallo on it; second by Frederick. Motion carried 7-0.

4c. Presentation and discussion regarding Planned Development (PD) Overlay Zoning Districts: Rachel Oelsner, intern in the Planning Department gave a PowerPoint presentation and explained what planned developments are. The first PD in the City was approved in 1996 and there are now 26 approved PD's. Planning staff looked at the existing PD's to determine their status and if they are needed anymore. The project with the initial PD from 1996 was never constructed but is still on the zoning map. Staff is suggesting that language should be added to the zoning code for the removal of PD's which are no longer needed. There are 17 PD's which should remain and 9 should be removed for various reasons. Planning recommends approval of the ordinance to allow for the termination of planned developments. If this ordinance is approved, then staff would prepare an ordinance to remove the 9 PD's and incorporate the remaining 17 PD's into the zoning code and update the map. Gallo explained he receives calls often for updated PD information and noted this ordinance will clean up the map and allow Council to update PD's if they are not built within 5 years. Members thought this was an outstanding presentation. No action taken.

4d. Consider / recommend Ordinance 22-O1037 to create Section 17.804(9) Termination of Planned Developments: Gallo explained the proposed ordinance will create a new section in the zoning code. The planning department will provide 20 days' notice to owners of the original planned development (PD) to allow them the opportunity to explain to the Common Council why the PD should remain open. He added it is harder to place a sunset clause or time limit for a PD on larger projects. Members liked the overall intent of the ordinance but noted if the economy changes or there are administrative changes, this could be used as a tool to take away PD's. Riffle explained the intent is to put an ordinance in place for developments which are dormant. This ordinance gives them the right to come before the Council to explain the plan for their development. Riffled added once a PD is put on a property, it takes action by the Council to remove it; 5 years goes fast in developing a project; suggested the timeline to give notice to the owner could be changed from 20 to 30 days; and suggested developers with a PD could provide an annual update to the Council. Motion by Magnus to recommend approval to Council of Ordinance 22-O1037 to create Section 17.804(9) Termination of Planned Developments with the following: 1) change the notification timeframe to be 30 days; and 2) the time limit should be changed to 7 years; second by Gross. Members added it will eliminate the surprise to the developer if they are aware of this when requesting a PD. Motion carried 7-0.

5. Planning Department Correspondence – May 2022: Gallo reported in the month of May there was 1 temporary use permit issued, 3 letters were sent for zoning issues, 5 requests were received for occupancy of a new business and 2 site plan approvals.

6. Adjourn: Motion by Ellis to adjourn at 7:19 pm; second by Brotheridge. Motion carried 7-0.

Chris Dehnert, Deputy City Clerk