

**CITY OF ELKHORN**  
**ARCITECTUAL REVIEW BOARD/CITY PLAN COMMISSION MEETING**  
**Council Chambers, 9 S. Broad St., Elkhorn, WI**  
**June 2, 2016**

The Architectural Review Board/City Plan Commission Meeting was called to order at 7:00 p.m. by Chairman Reynolds followed by the Pledge of Allegiance and Roll Call.

**ROLL CALL**

Present: Chairman Reynolds, Meinel, Myrin, Baur, Stotko, Hunter, Frazer

Absent: None

Also Present: City Adm. Tapson, City Attny. Phillips, Zoning Adm. Schaeffer

Visitors: Michael Blue-Teska Assoc., Attny. James Gormley, Frank Luchsinger, Barbara Luchsinger, Tim Voeller-Bielinski Homes, Kellen Olshefski-Elk. Independent, Bill Sigmund, Michael Roberts, Dick Howarth, Gary Wallem, Anthony Coletti, Gene Krauklis, Trisha Renji, Alderman Hoss Rehberg, Alderman Cathy Bensaïd

**APPROVAL OF MINUTES**

Motion (Stotko/Baur) to approve the minutes of the Architectural Review Board/City Plan Commission Meeting of April 21, 2016. Motion carried unanimously.

**2040 COMPREHENSIVE PLAN/LAND USE MAP REVIEW**

Chairman Reynolds said that although this is not a public hearing, he would offer the floor to any members of the audience who wish to voice their views and/or opinions regarding either property, Harvest Pointe Commercial or 504 West Court Street, but only for a time period of 15 minutes. He explained that this will be done after Michael Blue, Teska Associates, has made a presentation and questions or comments are addressed from the Plan Commission members.

Michael Blue, Teska Associates, presented a brief summary of the purpose for reviewing the 2040 Comprehensive Plan/Land Use Map, specifically the proposed land use designations for the Harvest Pointe Commercial Development and the property located at 504 West Court Street (formerly Lakeland School). These two land use designations have been brought back to the Plan Commission at the request of the City of Elkhorn Common Council for recommendation. The Council is seeking the Plan Commission's guidance as to land use not zoning. The City Administrator reminded the Plan Commission that the Bielinski property does having an existing Planned Unit District (PUD) overlay in place and if changes are made to the land use then Bielinski Homes would have to start all over again. Member Meinel felt that over the years that this property was intended to be commercial and it has just taken longer than realized. He would not want to see it change because it is a prime commercial area. He would not want to give that up or see a mixed use there and prefers the B-2 with the Planned Unit Development (PUD).

The Zoning Administrator commented that all the Bielinski residential and commercial use designations were planned years ago. Member Hunter asked about the history of the development of this area, specifically the area between Walgreen's and Mercy. The City Administrator provided a brief history of the Bielinski development. The City Attorney noted that the PUD is all commercial with no residential and all the residential planned has been completed.

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Member Myrin stated that the land should be kept commercial with no changes to the land designation. He also commented that the former Lakeland School property at 504 West Court Street should remain as low density residential as requested by the neighbors.

At this point in time Chairman Reynolds announced that this would be the appropriate time for any members of the audience to speak. He reminded the audience that 15 minutes is the allotted time and that this is not a public hearing.

Mike Roberts, former Mayor, provided a brief history of the Harvest Pointe commercial development, then commented that Bielinski had recently presented plans for the City's consideration that consisted of 400 apartments within this commercial area which the City took off the table. He said he disagreed with Michael Blue about how much land to the north has filled in with residential/commercial developments within the last 15 years.

Attorney James Gormley, representing Frank Luchsinger who is a neighbor to 504 West Court St. property, said he was also speaking on behalf of the West Court Street neighbors and commented that it is understood that the land use plan is being used for guidance for future needs and should be consistent with adjacent land designations. His client is requesting low density residential for the 504 West Court Street property (formerly Lakeland School) not medium density residential. He explained that a medium density land designation would not be a good fit for this single family home residential area. He requested that the Commission listen to the West Court Street neighbors who wish to maintain the low density residential land designation at 504 West Court Street.

Anthony Coletti, said he lives in the vicinity of the Bielinski commercial development and it would be a mistake to change the land designation to residential and in his opinion the City needs more retail. He said Bielinski Homes has already built their residential subdivision so no additional housing is needed within this area.

Mike Roberts agreed and said that there is no need for heavy multi-family developments in this area which brings higher taxes and more children to the area.

Dick Howarth, said that he has spent 47 years in the Elkhorn area and the City had no plan to grow, except to the north. He expressed his opinion stating the he is against any plan for higher density apartments in this area.

Gary Wallem, agreed and pointed out that this area is like "retail row" and should be considered a "valuable jewel". He pointed out that residential is not needed here.

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Barb Luchsinger, West Court Street resident, said that there seems to be people who want to turn the Bielinski commercial property from commercial to residential and the West Court Street property from residential to commercial. She said both properties should remain as they are currently designated.

Bill Sigmund, West Court Street resident, had questions about what the City was going to do with the Nettesheim property located in a different area of the City. Chairman Reynolds commented that this is an unrelated topic and could be addressed at another time. The time to speak was finished up with comments about previous population and density studies that were done on these areas by Mike Roberts and Dick Howarth.

Tim Voeller, representing Bielinski Homes, reported that the lack of commercial development still exists in this area and is due to the fact that Bielinski had to pay for the infrastructure for both the residential and commercial areas. He said residential was a “hot ticket” at the time and commercial was not. In order for Bielinski to continue to develop within this area, they would need financing. His suggestion for this area was to limit commercial to a smaller area and add more land to their residential development for housing such as apartments. He said he is not referring to WEDA or low income housing.

**2040 COMPREHENSIVE PLAN: LAND USE MAP REVIEW – HARVEST PTE. COMM.**

The City Administrator pointed out that there has been discussion regarding both properties, Harvest Pointe Commercial and 504 West Court Street which matters were returned to the Plan Commission by the City Council for further review and recommendation. If the Plan Commission felt they had received enough information, comments, responses, etc. it may be time for a recommendation. The City Attorney agreed that it was time for a motion whichever direction they chose to go. Item number 1 is the Harvest Pointe Commercial property – keep all commercial or allow multi-family, and then a motion for item number 2 is the 504 West Court Street property. The City Administrator reminded the Plan Commission that if they throw out the residential for Harvest Pointe then Bielinski will be gone. He said that what he was hearing from the neighbors on West Court Steet tonight was that single family residential would be acceptable for the 504 West Court Street (former Lakeland School). He reminded the Commission that the property is currently zoned I-1 Institutional which does not fit with a residential designation. Brief discussion on single family homes compared to duplexes within the low density residential designation.

Motion (Myrin/Meinel) moved to recommend to Council to keep the Harvest Pointe Commercial Development as a commercial designation on the 2040 Comprehensive Land Use Plan. Roll Call Vote. Member Meinel-Yes; Member Frazer-Yes; Member Baur-Yes; member Stotko-Yes; Member Hunter-Yes; Member Myrin-Yes; Member Reynolds-Yes. Motion carried unanimously 7-0.

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**2040 COMPREHENSIVE PLAN: LAND USE MAP REVIEW – 504 WEST COURT ST.**

Attorney Gormley requested the Plan Commission consider maintaining 504 West Court Street as a low density residential area. Chairman Reynolds agreed that he did not want to see apartments constructed on this property. Member Frazer wondered if this property is changed to a commercial designation then could the City reconsider another designation at a later date. Brief discussion.

Member Hunter thought that there had been some kind of agreement for this property with a 12 month window to consider other land designation. The City Administrator responded that no there was no such agreement. Any change in zoning would require a rezone because it currently is zoned as I-1 Institutional and any higher density is not appropriate or proper for this area

An unidentified neighbor from West Court Street area asked if the City would consider purchasing the property for a park. Chairman Reynolds said the City has no plan to purchase the land for a park due to too many unknown environmental issues with the land itself.

The City Attorney asked what the land use plan shows for this parcel. Discussion. Member Baur felt that the property could be designated as medium density. Michael Blue suggested a low impact development for this area. The question is what is considered low impact residential, single family homes and/or duplexes. A developer could build duplexes instead of single family homes and designate the remaining undeveloped area as parkland. Member Hunter mentioned that the current property owner has tried a number of times to present a development to the City Plan Commission without success. He said that the Plan Commission has turned down all plans that were previously presented based on high density. The Zoning Administrator asked if the intent is to have the same land designation for the building as well as the vacant land. Further discussion.

Motion (Hunter/Frazer) to recommend to Council that the 504 West Court Street property be designated low density on the 2040 Comprehensive Land Use Plan. Roll Call Vote. Member Meinel-Yes; Member Frazer-Yes; Member Baur-Yes; member Stotko-Yes; Member Hunter-Yes; Member Myrin-Yes; Member Reynolds-Yes. Motion carried unanimously 7-0.

**HARVEST POINTE COMMERCIAL DEVELOPMENT/BIELINSKI**

Tim Voeller, representing Bielinski Homes, felt there was no need at this point to make a presentation since the Plan Commission made a recommendation to Council to approve and maintain a commercial land designation for the Harvest Pointe Commercial property.

**MEETING DATES**

Meeting dates: June 16, 2016, and July 7, 2016.

**ADJOURNMENT**

Motion (Baur/Frazer) to adjourn. Motion carried. Meeting adjourned at 7:50 p.m.

Shari McKinney  
Plan Commission Secretary