

**MINUTES OF JOINT PLAN COMMISSION AND DESIGN REVIEW BOARD
FOR THE CITY OF CUDAHY, WI HELD AT THE MUNICIPAL BUILDING ON
March 10, 2015**

CALL TO ORDER

1. Meeting was called to order by Alderman Justin Moralez as substitute chairman of the Commission.

OPENING STATEMENT

Prior to the meeting, notice was given to the community and posted in the appropriate places. Notice was also given to the news media that requested it, namely the Milwaukee Journal-Sentinel and MyCommunityNow.com.

ROLL CALL

The following members of the Plan Commission were present for roll call: Commissioner Mike Nelson, Commissioner Harry Savagian, Commissioner Jim Zsebe, and Alderman Richard Bartoshevich. Commissioner Nick Gates was absent and excused. Also absent and excused was Mayor John Hohenfeldt. Also present was Economic Development Director Brian Biernat.

Convene the Joint Meeting of the Plan Commission and the Design Review Board

The following members of the Design Review Board were present for roll call: Chairman Peter Dombrowski, Jim Hooper, Joan Houlehen, Marcelle Carlton, and Terry Shuelke. Absent and excused was Nick Gates.

OLD BUSINESS

2. Old Business

NEW BUSINESS –

3. **Review the proposed site plan and preliminary building exterior renderings for the proposed development at 3333 and 3233 East Barnard Avenue (Formerly Iceport Way).**

Brian Biernat introduced the representatives who were present for the proposed development. A letter of interest for the approximately 19 acres of property was reviewed by the Community Development Authority. The purpose of the review before Plan Commission and the Design Review Board was to give site utilization background supporting the petition to rezone the property later in the agenda listed as Item #9.

The architects of the building presented the proposed site plans for the Class "A" industrial building. Plan Commission asked about the first phase component. The 112,000 square foot building is the first phase of which about 10-15% will be occupied by office. The Phase 1 will take place on the eastern portion of the property. Plan Commission asked about the business. The owner's proposed business is a steel manufacturing fabrication shop. Biernat explained that this is conceptual review not requiring a motion. It is being done to advance the rezoning of the property from B-2 with PUD overlay to M-1 with PUD overlay.

Plan Commission asked about truck traffic, primarily concerned with the use of Nicholson. The traffic plan will be developed further with Phase 2 on the western portion. Plan Commission asked about the time frame of the Phase 2. This will be dependent on the success of the first phase and interest in the second phase. A second tenant will be sought for Phase 2 occupancy.

The owner took the podium to describe his business. In general the business manufactures fabricated and paint coated steel. Plan Commission asked about percentage of manufacturing compared to distribution. About 50,000 sq ft of the Phase 1 will be manufacturing compared to

20,000 sq ft used as distribution. Offices will be in the first building completed. Sixty employees are estimated for steel services combined with 25-100 employees for distribution. Plan Commission asked about the amount of trucks parked at the terminal. The estimate is for 20-25 trailers parked at one time at the terminal. The owner believes the Phase 2 groundbreaking will happen in two years. Discussion about the amount of manufacturing relative to distribution followed.

Plan Commission asked about TIF funding. It will. The Development Agreement will reflect the terms and conditions attached to the Phasing in terms of time line and incentives. Discussion about the TIF funding element followed.

Plan Commission brought up the issue of spot zoning. Biernat explained this is not spot zoning because M-1 is adjacent to the west and M-2 is adjacent to the east. Parcels north of Barnard Avenue that front on Layton will remain business zoning. Discussion about wages and benefits followed. Discussion about building layout followed. The final building proposal will be reviewed at a later Plan Commission meeting.

No action necessary.

4. Review the conceptual land use and building and site modification plan involving the "Midwest" and "St. Regis" parcels, for National Tissue located at 3326 East Layton Avenue.

Brian Biernat introduced the representative of National Tissue. The property was formerly zoned for manufacturing use and rezoned to B-2 in recent years for a business redevelopment plan on Layton. The tenant, National Tissue, proposes to expand its business operations at this location. The tenant is allowed to occupy this site as a legal non-conforming use, but must seek a rezone to manufacturing in order for building expansion approval.

The layout of the parcel makes it unusual for business use. The proposal is to rezone back to manufacturing with the PUD overlay. The site plan has two potential alternatives for the 100,000 square foot addition. In a concession to keep the Layton frontage primarily business the lot closest to the railroad tracks will be redeveloped for business use. Discussions happened with the Economic Development Director about enhancing the exterior of the building. National Tissue must renew its occupancy license and can only do so if the rezone ensures that it will be able to stay.

Plan Commission gave endorsement of the plan but urged the improvement of the building façade and landscape facing Layton. When the final building plan is proposed the Commission will be able to give specific conditions about site improvements with which must be complied.

Biernat explained the rezone to B2 was done in accordance with the Comprehensive Plan about ten years ago and reflective of the land uses desired pre-economic recession. The City would like the Layton corridor to remain business zoning as much as possible to achieve highway business uses on the west side of town and transition into the community and downtown business uses traveling further east on Layton. The market conditions have made it difficult to appropriate TIF funds to demolish this building and achieve high-end retail business on this particular site. Now the City able to work with the current tenant to make building improvements in accordance with business expansion and avoid a blighted building close to the central business district. The representative stated in order to refinance the building the Wisconsin DNR investigated historic site utilization and possible contamination.

No action necessary.

The Design Review Board was adjourned from the joint meeting.

5. Review staff recommendation for a text amendment to Chapter 176 of the City of Cudahy Municipal Code regarding Adult Oriented Uses. Seeking recommendation to Council with review by the City Attorney.

Biernat introduced the item as in response to redevelopment efforts of the Layton and Pennsylvania Gateway. It is important to revise ordinance language for orderly development of the district. Nick Jaeckle, Community Development Associate, has been working with CDA counsel to draft the text amendment. Information was presented to the Commission about the location restrictions which would be enforced under the text amendment. Plan Commission asked about the moratorium for development in this gateway and Biernat explained the text amendment is in response to counsel recommendations to the CDA to update zoning language in order to avoid liability issues. Also, the purpose of the amendment is to get rid of the current overlay designation. Elements of the text amendment are being researched before a final approval is brought to the Common Council.

Motion to recommend the text amendment made by Alderman Bartoshevich, seconded by Commissioner Savagian. All in favor.

6. Review and take appropriate action regarding the staff request to recommend a change in base zoning from M-1 Limit Manufacturing District to B-5 Highway Shopping Center Business District for the parcels in the Penn Place gateway neighborhood involving the following parcel #'s:

6309929006
6309929011
6309929016
6309929017
6309929018
6309929019
6309953001

The parcels are located on the east side of Pennsylvania Avenue, from Layton Avenue south to Edgerton Avenue.

Biernat explained the purpose of the rezone is to guide redevelopment of the Layton Pennsylvania Gateway as retail and business. The CDA felt it was important to match the base zoning of this district as B-5 on both sides of Pennsylvania Avenue. Plan Commission asked whether any specific development is being discussed. No specific development is being discussed. There is much preliminary site work necessary including extending Carpenter Avenue to Pennsylvania Avenue and creating a formal intersection. Further discussion about preliminary site work necessary to attract development followed.

Motion to recommend the rezone made by Alderman Bartoshevich, seconded by Commissioner Savagian. All in favor.

7. Review and take appropriate action on the request to recommend a change in base zoning from B-2 Community Business District to M-1 Limited Manufacturing District to accommodate building and business expansion plans for National Tissue at 3326 East Layton Avenue. Parcel #'s: 590-9993-001 and 590-9992-001.

The rezone moves the current tenant from legal non-conforming to legal conforming, which is a necessary action in order to make any building improvements or additions. The plans will come

back before Plan Commission and Design Review Board for a preliminary and final building approvals.

Motion to recommend the rezone with stipulations that the improvements address the sides facing south and west of the building made by Commissioner Savagian, seconded by Commissioner Zsebe. All in favor.

- 8. Review and take appropriate action on the request to recommend a change base zoning from B-2 Community Business District to M-1 Limited Manufacturing District to accommodate proposed development at 3333 and 3233 East Barnard Avenue (Formerly Iceport Way). Parcel #'s 631-0114-012 and 631-0114-013.**

Plan Commission discussed the purpose of the rezone as in response to market conditions likely to occur at the subject location. Biernat reiterated that the rezone action does not change the business use of the parcels on the south side of Layton Avenue. Motion to recommend the rezone made by Commissioner Savagian, seconded by Alderman Bartoshevich. All in favor.

- 9. Motion to adjourn made by Alderman Bartoshevich, seconded by Commissioner Savagian. All in favor.**