

**MINUTES OF JOINT PLAN COMMISSION AND DESIGN REVIEW BOARD
FOR THE CITY OF CUDAHY, WI HELD AT THE MUNICIPAL BUILDING ON
December 9, 2014**

CALL TO ORDER

1. Meeting was called to order by Mayor Hohenfeldt.

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 Nelson, Alderman Moralez, Commissioner Gates, Commissioner Savagian, Alderman Bartoshevich. Commissioner Zsebe was excused. Also present was Economic Development Director, Brian Biernat.

MINUTES

2. Motion to approve minutes from November 11, 2014 made by Commissioner Savagian, seconded by Alderman Bartoshevich. All in favor.

OLD BUSINESS

3. None

NEW BUSINESS

4. **Review and take appropriate action on the proposed Certified Survey Map combining lots and removing interior lot lines at 3861 East Van Norman Avenue, submitted by Kendall Kimber, owner.**
Biernat explained this is a proposed CSM to clean up the cadastral and eliminate interior lot lines. Motion to approve made by Commissioner Nelson, seconded by Alderman Moralez. All in favor.

CONVENE THE JOINT MEETING OF THE PLAN COMMISSION AND DESIGN REVIEW BOARD

Session was called in to order by Chairman Peter Dombrowski. The following members of the Design Review Board were present for roll call: Mike Nelson, Nick Gates, Jim Hooper, Joan Houlehen, Terry Schuelke, Marcelle Carlson.

5. **Review and take appropriate action regarding the redevelopment use proposal, request to rezone, and building and site plans for the former Nativity of the Lord Parish and School, located at 3767 East Underwood Avenue, submitted by Michael Lerner, Development Consulting Services, Inc.**

The Mayor informed the Plan Commission that items 5, 6, & 7 came before the Community Development Authority on December 3, 2014. After review of each development proposal the CDA agreed to participate in redevelopment efforts with TIF assistance towards TIF eligible expenses of up to 15% of the total project cost for each project.

Lerner explained the current building layout on the site: the church, a school, a directory, and a small garage. Several years ago Nativity of the Lord moved to a new location and 3767 Underwood Avenue sits vacant. Development Consulting determined none of the buildings to be of use to their

development ideas and decided their project would be to raze the old buildings and construct new apartments. Environmental consults determined there are no major concerns.

One criteria of the concept is to have 16% of the units be three bedrooms with individual entrances. There will be a five story component containing the one and two bedroom units. Two story, three bedroom town houses with individual entrances will face the Underwood and Hammond, or north and south, sides. There is an elevation difference of about six to seven feet from Underwood sloping lower down Swift to Hammond. Taking advantage of this elevation difference there can be underground parking with the driveway entering off of Hammond, at the south-west end of the site. The applicant worked with the City Engineer to address storm water management. There will be a courtyard with a rain garden component. There are seventy-five underground parking spaces. The first floor level has the three-bedroom town houses with individual entrances. The main entrance is off of Swift. The first floor contains eight 1-bedroom units and one 2-bedroom unit. The remainder of the first floor contains the vestibule, a community room with large windows looking into the patio and courtyard area, and smaller community and utility rooms for apartment residents. The second floor contains four 1-bedroom units and seven 2-bedroom units, in addition to the second story of the town houses. The third floor contains eleven 2-bedroom units. The fourth floor contains eleven 2-bedroom units. The fifth floor contains seven 2-bedroom units and a fitness center. Units were not added to the north and south ends of the fifth floor in order to soften the building design.

Lerner displayed the elevation facing Swift with the main entrance. The patios were described as "coffee balconies", referencing the smaller size allowable for a couple of chairs. Windows will look out to the balconies. The elevation facing Underwood was displayed next to showcase the town house element. From the ground level to the top of the fifth floor will be approximately 66 or 67 feet. The church on the site at present is approximately 78 feet to its highest point. Lerner explained the requirement to rezone the parcel from Institutional to RM-2. In addition to the rezoning, height and parking variances will also need to be permitted.

The Mayor opened the floor to comments and questions from the Plan Commission and Design Review Board. Alderman Morales asked if lake view access from the top of the building, in the form of a terrace, has been given more thought. Lerner cited the plans have not gone that far yet, but that the decision for this community aspect usually comes down to financial feasibility. There are finances being allocated to the courtyard area at the ground floor.

The Mayor addressed the height of the building as being a concern during staff review. There is a three story school on the adjacent block and there are also higher duplexes within close proximity to the site. Other developers have determined they cannot repurpose the vacant buildings. Due to the former institutional use of the site the city would be required to rezone the parcel upon developer interest. In reaching the decision to rezone as RM-2, the City worked with the Developer regain value in the site while being cognizant of the character of the neighborhood.

Dombrowski asked if this presentation is the final design plan. Lerner affirmed that this is the design, later expanded upon that this is not the final design, but represents their direction. Dombrowski asked if this is a wood frame building. The lower level will be poured concrete, but how it will be framed above this is not certain at this point. The materials are masonry and EIFS. This material will allow the developer to reach the desired look it wants to achieve with a variety of colors. Nelson cited to not use the same materials as the building located on the corner of Somers and Packard. The concerns are with the poor ageing and bad upkeep and maintenance of that property. Lerner addressed that they are open to ideas to deliver the best product. Nelson recommended alternate designs. Once past the roof of the garage there is opportunity to change the design. The railings used on the patios will be transparent. The windows will be operable. There is central air-conditioning and heating.

Nelson asked whether these are preliminary plans. Biernat affirmed. Moralez asked about location of garbage/waste units. There are trash shoots which are collected in the underground parking area and brought out on trash collection day. There are no dumpsters visible from the exterior. Lerner's management company maintains the site and it is in the management's budget to manage waste.

Further questions about building design and materials ensued. The garage is closed or walled off from the street level view and is recessed into the ground. The platform of the concrete structure sits below the ground level and height of the walls are above ground level. The grading difference between Underwood and Hammond makes it so the units on Underwood will be nearly at grade and the base material will be less exposed in comparison to the Hammond side. The architect reiterated the parking structure's wall will be fully visible from the Hammond side.

The mix of affordable to market rate rents were given: 1-bedrooms are \$561 to \$693 for affordable, \$700 for market; 2-bedrooms are \$664 to \$882 for affordable, \$900 for market; \$767 to \$950 for affordable, \$1,000 for market. Nelson asked about problems with tenants and Lerner described they have the same problems as all apartment management companies face. There is a thorough screening of renters. The ratio of affordable-to-market units will be 90% to 10%. This ratio allows the developer's financial model to work while meeting other conditions of the City and company. It is not a requirement for management to live on this premise, but someone is always on call for emergency. Restrictions on pets will vary between floors and pet size.

Bartoshevich asked about neighborhood acceptance of the project. No survey was done in the area. A market study was done to figure out what could work. WHEDA has certain guidelines to provide the funding necessary to give the developer financial leverage. The City has an interest in returning this vacant tax-exempt site to value. Discussion about the quality of the final product ensued. Tenants will pay their own rent. Moralez asked about other amenities and common areas. Lerner said they are interested in providing more amenities if they will fit. Nelson asked to enhance the roof deck. Bartoshevich asked about height restrictions in relation to the airport. The proposed height meets airport requirements.

Nelson asked a question to the Plan Commission, Mayor, and Economic Development Director if this type of housing is what the City is trying to attract. Moralez interjected that he supports the project if the roof deck is enhanced to stand out from other housing and will pull residents from outside Cudahy. Biernat answered Nelson's question as such: the market rates at duplexes in this neighborhood are currently in the \$550 a month range, which is less than what this building requires. New construction which is well managed is highly desirable. More discussion about the financial model, market, and general feasibility of development at this site ensued. Lerner reiterated that eventually these units will be rented at market rate and must be built to attract at the market rate.

Biernat told Commission he is looking for a denial action on the proposal as presented regarding non-conformance of density, height, and parking requirements. This will allow the proposal to move forward before two public hearings: a hearing with Common Council for the rezone and a subsequent hearing with the Board of Zoning Appeals for the necessary variances.

Beirnat asked for the Commission to offer a recommendation to the Council on the action to rezone the property from Intuitional to RM-2. Motion to approve made by Alderman Moralez, seconded by Commissioner Gates. The motion carried 5-0 with Bartoshevich abstaining.

Beirnat stated the favorable recommendation to rezone indicates a favorable reuse of the site. It was previously explained to the developer that the intent of the preliminary site and building proposal was to get a sense of attitudes towards the general building concepts of the plan. Since it will not meet the RM-2 density, height, and parking requirements he is asking the Commission for a denial on the

preliminary plans in order to process the variance requests before the Board of Zoning Appeals. Motion for denial based on non-conformance of zoning requirements made by Alderman Moralez, seconded by Commissioner Nelson. The motion carried 5-0 with Savagian abstaining. No formal action necessary by the Design Review Board.

- 6. Review and take appropriate action regarding the conceptual mixed use building and site plans for the proposal to relocate/redevelop the Department of Public Works facility at 3555 East Pabst Avenue, submitted by Christopher Laurent, Urbanapex Real Estate, on behalf of Common Bond Communities.**

Brian Biernat explained the site plan to convert the current Public Works facility to mixed use as a part of a conceptual plan for redevelopment of the south boundary of downtown. Laurent introduced the conceptual site plan for the mixed use building.

Discussion and concerns expressed about the square footage, number of units, and sight size. Biernat explained that a part of the redevelopment plan will be creating a signalized intersection at Carpenter and Packard, detailed in the materials. Commissioners and Board members took closer looks at Laurent's presentation materials, comments inaudible. Planned mix use development is a permitted use. There are no definitions of density in the zoning code for B-3 and it is case by case basis.

Action to approve preliminary building & site plans approved by Alderman Bartoshevich, seconded by Commissioner Nelson. Motion carried 5-1 with Commissioner Savagian opposed. The Design Review Board motioned to approve the preliminary site plan unanimously.

- 7. Review and take appropriate action regarding the mixed use building and site plans proposed for the CDA-owned parcel located at 3503-3549 East Layton Avenue, submitted by S.R. Mills, Joseph Schwenker and David Ginger, Bear Development.**

S.R. Mills spoke on behalf of Bear Development describing the conceptual plan for the site. Working on contamination assessment with Endpoint Solutions. Prepared to deal with contaminants, working with DNR and WEDC for remediation and redevelopment of site.

Mills presented Bear's comparable developments in other communities. Description of the Cudahy site followed: 50 units of residential above ground level commercial/retail space. Number of units, size of units, building layout, market to workforce ratio, and rental rates detailed. Exterior design detailed. Landscaping and storm water management will be in final site plans. The development will apply for WHEDA tax credits. Mills described how remediation of contaminants will work.

The Mayor asked to restate dimensions. This is a 48,600 square foot total site. The building will be three stories. Meeting was opened to comments. Discussion about retail space. Description of qualification for WHEDA tax credits. Further discussion of contamination and remediation.

Action to approve preliminary building & site plans motioned by Design Review Board, 6-0, with Jim Hooper abstained. Action to approve preliminary building & site plans approved by Alderman Bartoshevich, seconded by Alderman Moralez. All in favor.

ADJOURN

Motion to adjourn meeting for Design Review Board moved by Joan Houlehen, seconded by Nick Gates. All in favor. Motion to adjourn meeting for Plan Commission made by Commissioner Nelson, seconded by Commissioner Gates. All in favor.