



**Plan Commission
Meeting Minutes
June 26, 2018**

3930 N. Murray Ave Village of Shorewood, WI 53211

1. Call to order.

The meeting was called to order at 6:33 p.m.

2. Roll call.

President Allison Rozek - Chair	Aye
Trustee Davida Amenta	Aye
Leah Blankenship	No
Eric Couto	Aye
Tim Hansmann	No
Therese Klein	Aye
Barbara Kiely Miller	Aye
Sangeeta Patel	No
Daniel Wycklendt	Aye

3. Approval of March 27, 2018 meeting minutes.

Ms. Kiely Miller moved to approve the minutes, seconded by Mr. Couto. Vote 5-0 to approve; Trustee Amenta abstained.

4. Statement of Public Notice.

Staff posted and publicly noticed according to local and state regulations.

5. Attorney to review the standards by which the Plan Commission must abide.

Village Attorney Nathan Bayer explained that the agenda included consideration of both conditional uses and special exceptions applications. Under Article 5 of Chapter 535 of the Village Code (Zoning) the section discusses conditional uses and that any use not otherwise expressly permitted by Article 4 of the Zoning Code can be considered by the Plan Commission to be allowed as a conditional use. Determining this has to follow specific standards/criteria under Chapter 535-25C items 1-7. Attorney Bayer explained that recently the state legislature also restricted the amount of regulation municipalities can place on solar or wind energy systems; there are special conditions relating to these considerations.

In addition, code section 535-27 contains a list of certain specific enumerated uses that are conditional in commercial districts. This list demonstrates some very specific items that the Village Board over the years has decided to codify in policy favoring specific enumerated conditions in specific commercial areas. This section also gives some additional criteria and guidance when considering.

In the fall of 2017, the state legislature passed a new law regulating conditional uses that further states there has to be substantial evidence that the applicant cannot meet the conditions enumerated in the code in order to deny the application. The legislature went further by stating substantial evidence has to be provided showing the applicant is not meeting the criteria. The legislature defined substantial evidence as "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use

permit and that a reasonable person would accept in support of a conclusion". Attorney Bayer explained that if the applicant can demonstrate with substantial evidence that they meet all the criteria the conditional use application should be granted. Additionally, if any conditions are placed on the granting of the conditional use they have to be reasonable.

When considering special exceptions (parking), Chapter 535 Article 9 (Off Street Parking) gives all the criteria that is needed to determine if a special exception should be granted. Granting or denying a special exception has to be based on substantial evidence that the criteria is not being met. Attorney Bayer added that the state legislature has only given the definition of substantial evidence as guidance.

Mr. Couto asked where the burden falls in proving substantial evidence. Attorney Bayer stated the initial burden falls to the applicant to prove they meet the criteria but if the commission were to deny the application substantial evidence would need to be proven too.

Attorney Bayer explained that consideration of the solar and cellular conditional use applications were different. The state legislature said that as a policy they promote the use of good cellular coverage and solar energy as an alternative energy source. Because of this the legislature passed legislation that restricts local municipalities ability to stop these types of installations. In regards to solar energy per Code 535-30D, the Village Plan Commission can only restrict the system if the restriction satisfies one of the following three criteria: Serves to preserve or protect the public health or safety, Does not significantly increase the cost of the system or significantly decrease its efficiency and Allows for an alternative system of comparable cost and efficiency. President Rozek asked if the law pertains to laws and regulations the Village would adopt of individual applications. Attorney Bayer stated individual application but also explained that the Village Code was amended to adopt the same language from the state statutes.

With regard to a cellular structure per Code 535-30(5)(d)[6], the Plan Commission cannot deny a conditional use application based on the health or environmental effects of radio frequency emissions to the extent that the applicant proves compliance with FCC rules and regulations; or based on aesthetic concerns, the height of the mobile service support structure or on whether the structure requires lighting.

6. Public Hearing: Consideration of conditional use application for the installation of cellular antennas and radios at commercial property 3909 N. Murray Avenue.

Planning Director Bart Griepentrog introduced the item per the memo that was provided to the Plan Commission. Andre Mallory was present representing Verizon Wireless and the item.

President Rozek opened the public hearing at 6:50 p.m. With no public comments the public hearing was closed at 6:51 p.m.

Ms. Kiely Miller asked what a radio is as it relates to this application. Mr. Mallory explained that a radio is a small box on each of the antennas to amplify the signal.

Trustee Amenta moved to approve the conditional use application for the installation of cellular antennas and radios at commercial property 3909 N. Murray Avenue. Seconded by Mr. Wycklendt. Vote 6-0 approved.

7. Public Hearing: Consideration of conditional use application for the installation of solar panels at residential property 4431 N. Murray Avenue.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Mike Cornell was present representing Arch Electric and the item.

President Rozek opened the public hearing at 6:53 p.m. With no public comments the public hearing was closed at 6:53 p.m.

Mr. Wycklendt moved to approve the conditional use application for the installation of solar panels at residential property 4431 N. Murray Avenue. Seconded by Mr. Couto. Vote 6-0 approved.

8. Public Hearing: Consideration of conditional use application and parking special exception for a proposed chiropractic clinic at commercial property 2211 E. Capitol Drive.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Steven Sherman, business owner, was present representing the item.

President Rozek opened the public hearing at 6:58 p.m. With no public comments the public hearing was closed at 6:58 p.m.

Ms. Kiely Miller asked what the length was of an average appointment. Mr. Sherman stated between 30 to 45 minutes.

Ms. Kiely Miller asked if most of the clients were capable of walking to the location. Mr. Sherman stated that a majority of his clients can walk, bike and use public transportation. He stated he will be biking and his employee will use the bus to get to the location. Mr. Sherman explained that the owner of the building is planning for possible alteration to the design of the rear of the building.

Ms. Kiely Miller asked if there are any ADA accommodations for entry to the building. Mr. Sherman stated that they are researching adding a ramp to the rear of the building.

Ms. Kiely Miller asked about the style of the exam room doors and if the doors provide enough privacy for patients. Mr. Sherman stated the doors are double doors that open and slide like barn style doors. He added that the doors will close entirely and are private for the patients.

Trustee Amenta asked if the location was included in the residential congestion area for parking. President Rozek explained that south of Capitol Drive is the restricted parking area and typically customers for the businesses on that side of the street would park across the street on Farwell for example. Mr. Sherman explained the area is busy when St. Robert's School lets out and that patient appointments could be scheduled around that.

President Rozek asked if older buildings were grandfathered in and exempt from the parking regulations per previous situations at Plan Commission meetings in which the previous planning director had stated that. Mr. Griepentrog stated he was not aware of this but could look into the matter to confirm.

Mr. Couto moved to approve the conditional use application and parking special exception for a proposed chiropractic clinic at commercial property 2211 E. Capitol Drive. Seconded by Mr. Wycklendt. Vote 6-0 approved.

9. Public Hearing: Consideration of conditional use application and parking special exception for a proposed cycling fitness studio at commercial property 4521 N. Oakland Avenue.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Ty Gruber and Kayla Vogds of PowerCycle LLC were present representing the item.

President Rozek opened the public hearing at 7:10 p.m.

Mandy Mielke, resident at 1705 E. Wood Place, stated she supports the business in the location and currently drives 40 minutes to her cycling class center. She looks forward to being able to walk to a workout location.

Andrew Prater, resident 3701 N. Downer Avenue (representing the property owner), stated they are in full support of the business and look forward to them joining the community.

President Rozek closed the public hearing at 7:12 p.m.

Trustee Amenta asked about if music was used during classes and if that would be a concern for other tenants above the space. Ty Gruber stated that sound is used during classes and it can be loud but that they are going to work with the landlord to create a sound envelope and do acoustic testing to limit the impact and keep modifying until all parties are satisfied. Trustee Amenta mentioned the noise ordinance and that it is 7 a.m. to 10 p.m. Mr. Griepentrog stated that the noise ordinance references sound heard in the public right of way and that if it would become an issue it would be enforced by the police department. President Rozek added that there are limits to noise ordinance violations before further actions are taken. Mr. Griepentrog said he would have to double check the specifics in the code.

Mr. Couto asked if any residents of the building have been notified. Mr. Gruber explained that the landlord has spoken to the building manager and the one tenant directly above the space.

President Rozek asked if any of the adjacent business owners were notified. Mr. Griepentrog stated that surrounding businesses were not notified by the Village and that it is not required by the code. Ms. Kayla Vogds stated they notified the near neighbors in the building. Ty Gruber stated they did not speak to Three Lions but spoke with Indulgence Chocolatiers as they will be sharing office space.

President Rozek stated her concern is with the parking in this particular commercial area and that she has been contacted numerous times asking for parking relief. With this type of business and a maximum of 30 members at a time on site it is a concern it could add to the congestion.

Trustee Amenta added that she didn't believe the morning hours would cause too many problems because the other businesses wouldn't be open yet but the concern would be more in the evening hours. Mr. Gruber stated the morning early sessions are usually finished by 8 or 9 a.m. He stated that at the Wauwatosa location their finished by 7 a.m. The classes are not ran all day long and the peak hours are early morning and early evening.

Ms. Kiely Miller asked how much time there is in between classes. Mr. Gruber stated classes are scheduled 30 minutes apart from each other. Ms. Kiely Miller also asked if there will be increased ventilation to accommodate odor. Mr. Gruber stated there are 2 air conditioning units for the space currently and the dedicated room will have its own air supply that will be able to ventilate on its own. There is a rear door that can be opened as well to allow more air flow. Ms. Kiely Miller asked about any deliveries to the business. Mr. Gruber stated the business will have no deliveries other than the delivery of the bikes initially.

Mr. Wycklendt asked if the building is fully supportive of the business. Mr. Prater stated yes.

President Rozek reviewed the criteria for granting a parking special exception and added she did not hear the applicant addressing the parking demand. She asked if they are

anticipating many being pedestrians and bicyclists. Mr. Gruber stated that yes they are hoping to target many pedestrians. He is aware the afternoons could be a bit busier but are hoping clients would be willing to park a bit further and walk to the site.

President Rozek stated she would've felt better knowing the surrounding neighbors were notified of the meeting and had the opportunity to attend. She stated she was not comfortable supporting the item at the time.

Mr. Wycklendt added that when the yogurt business was in the space it was busy from time to time and that other business in the area have no dedicated parking either. With the business going in no parking is further being taken away and a new business is replacing a business that left which is good.

President Rozek stated her concern was with when 30 individuals come for a class at one time and the impact it could have on parking. The area is one that she has received many residential parking concerns with the area parked up. She stated she would feel better if residents and businesses had a chance to be notified of the meeting and an opportunity to state their concerns with the business moving in.

Ms. Kiely Miller stated it would be helpful knowing when surrounding businesses open.

Mr. Couto asked if resident concerns rise to the level of what is considered substantial evidence. Attorney Bayer stated that if the applicant can demonstrate with substantial evidence they can meet the conditions or the concerns being raised that is more important and then the item can be granted.

President Rozek asked if the commission would have had to have had staff count parking stalls at the time of peak business to count as substantial evidence. Attorney Bayer added that he felt that was not necessary.

Trustee Amenta stated that almost any business that went into the space would generate some impact on parking.

Mr. Wycklendt asked if the commission could require the applicant to notify the surrounding neighbors and businesses. Trustee Amenta added that if tabling and requiring that notice it would allow any concerns to be heard. Mr. Griepentrog stated that the commission could make a motion to ask the applicant to notify the neighbors. Trustee Amenta added how the recent parklet required staff to notice surrounding neighbors. Doing the same for conditional use applications could be beneficial.

Mr. Couto asked if there were any ramifications for the applicant if the application was deferred for a month. Mr. Gruber stated they are looking to get started as soon as possible.

Mr. Prater stated that his client owns the building and the building across the street and that everyone in their buildings were notified. The business's prime time to add members is typically the fall and they are trying to help them get going soon.

Ms. Kiely Miller added that in 2016 two parking special exceptions (Ruckus and North Shore Bank) were granted and that at the time the planning director had provided parking space counts as to what was available on the street. Parking spaces on the residential streets could not be taken into account. She stated that no matter what we count likely would not meet the criteria but that we have to work with what is available.

Ms. Kiely Miller moved to approve the conditional use application and parking special exception for a proposed cycling fitness studio at commercial property 4521 N. Oakland Avenue. Seconded by Mr. Wycklendt. Vote 5-1 to approve.

10. Public Hearing: Consideration of conditional use application for a proposed massage therapy office at commercial property 4601 N. Oakland Avenue, Suite 101.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Claudia Zahradnicek of Being Balanced LLC was present representing the item.

Ms. Zahradnicek stated that her job is physically demanding and because of this she only has 2-3 clients a day and also works the appointments around her children's school schedule. She stated she and her clients' park in the building's existing parking lot and have no issues.

President Rozek opened the public hearing at 7:43 p.m. With no public comments the public hearing was closed at 7:43 p.m.

Ms. Kiely Miller asked if the applicant's Wisconsin license is verified when submitted. Mr. Griepentrog stated that in the future the licenses could be verified.

Mr. Wycklendt moved to approve the conditional use application for a proposed massage therapy office at commercial property 4601 N. Oakland Avenue, Suite 101. Seconded by Mr. Couto. Vote 6-0 approved.

11. Public Hearing: Consideration of conditional use application for a proposed expansion of existing veterinary clinic (Dr. Noah's Ark Veterinary Clinic) at commercial property 4600 N. Wilson Drive.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Ms. Janet Arnold and architect Mark Hertzfeld were present representing the item.

President Rozek opened the public hearing at 7:48 p.m. With no public comments the public hearing was closed at 7:48 p.m.

Mr. Couto asked about the size of the trash refuse container/area and it being possibly too small for the business. Mr. Hertzfeld discussed with the landlord the situation and stated the landlord is working on the situation. Mr. Couto asked if the refuse situation could be an enforcement issue. Mr. Griepentrog stated he observed the property and one dumpster is enclosed and one is not and that in the future it could be an enforcement item if need be. President Rozek asked if the container is not large enough is it the tenant's responsibility to provide a container of proper size. Mr. Griepentrog stated that the tenant typically provides the refuse service and the landlord provides the location for the container. Mr. Hertzfeld stated there were enough containers for the tenants and businesses but the containers were not all enclosed/screened.

Ms. Kiely Miller asked about sound abatement efforts between the space and the apartments. Mr. Hertzfeld stated that there are no current concerns with the existing space and that the landlord is sensitive to the issue. He said that the space would be adding acoustic ceilings.

Ms. Kiely Miller asked if any animals would be held overnight. Janet Arnold stated that they do not provide any boarding but that they operate as a hospital so occasionally a sick animal will remain overnight. Staff will check on the animal overnight but no staff stays on site. Ms. Kiely Miller asked about animal waste on the site. Ms. Arnold stated bags are provided to pick up after the animals.

Trustee Amenta moved to approve of conditional use application for a proposed expansion of existing veterinary clinic (Dr. Noah's Ark Veterinary Clinic) at commercial property 4600 N. Wilson Drive. Seconded by Ms. Kiely Miller. Vote 6-0 to approve.

12. Public Hearing: Consideration of conditional use and parking special exception for a proposed early learning center/daycare at commercial property 4114 N. Oakland Avenue.

Mr. Griepentrog introduced the item per the memo that was provided to the Plan Commission. Nicholas Plummer (business owner), Pete Damsgaard (architect), Steve Carr (contractor) and Susan Sardina (representing the landlord) were present representing the item.

Mr. Plummer expressed that Casa de Corazon is something he fully believes in. It is a center unlike anything else in the entire state. He explained that from his travels and witnessing how far behind American children are in regards to speaking multiple languages that it was important for his young children to be exposed to other cultures and languages. When his wife introduced him to Casa de Corazon and their children began attending he got more involved. Mr. Plummer explained how he walked the streets and parking structures surrounding the site to understand the parking and spoke with the surrounding businesses who expressed support. They added that because the program is unique that is why families want to do what they have to do to enroll their children. Mr. Plummer understands parking is a concern. He stated that fifty percent of his staff typically take public transportation, another twenty-five percent live in the community and either walk, bike or get dropped off. Ideally, he believes he will need 7-8 parking spaces for his staff. Parents picking up and dropping off children are typically on site for ten minutes. The center uses iPads and an application that updates parents throughout the day which helps speed up pickup times.

President Rozek opened the public hearing at 8:12 p.m.

Sara Pressman, 4033 N. Bartlett Avenue, stated that she supports the use and believes the center would be a good thing. She added that in the materials provided it is stated that the ideal teacher candidate would be a female between the ages of 20-29 years old and this violates Title 7 of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission.

Mr. Plummer stated that when the demographics as a whole are looked at their teachers in their centers typically are women ages 20-29. The only requirement is that the teachers be fluent in Spanish and that each classroom has one teacher that speaks English.

Erin Ruppel, 1811 E. Wood Place, lives directly east of the facility. She did appreciate the notice sent because she was not able to attend the community meeting prior to ask her questions. Ms. Ruppel explained that the current fence is intended to remain along her lot line is in poor condition. She stated there are gaps and the fence is not terribly high and expressed concern. Mr. Plummer understands their concerns regarding noise and explained that the facility is only open Monday through Friday until 5:30 p.m. so the evenings would be quiet. Ms. Ruppel added that she works from home often and that she has a dog and with the gaps in the fence that are large enough for a child to crawl through. Ms. Ruppel asked about the refuse situation and expressed concerns about additional waste and smells because of food preparation. Mr. Plummer explained that with the use of cloth diapers the fecal matter is disposed of in the toilets and the diapers are washed on site. He added that the fence has to be inspected by Wisconsin officials and if it is required to be replaced it would be. Ms. Sardina explained that they as the

building owner would look into and address the fence concerns. Mr. Plummer added that all the sites in Minnesota have one dumpster and that the one dumpster is sufficient. Ms. Ruppel expressed concerns about traffic added to the area, eliminating existing parking spaces and relying on parking in the structures across the street. She feels parking on her street already borders on unsafe. Mr. Plummer explained that the reason they requested the bus stop to be moved in front of The Ruckus was to allow parents to pull up along the building to pick up their children easier and alleviating parents having to park across the street in the structure. He added parents would be able to pull into the parking lot as well because the bank is not open at the early hour when child drop off would typically occur. Ms. Ruppel explained her concern was for the children in the neighborhood as well with the potential for increased traffic.

Frank Kunik, 1811 E. Wood Place, explained that he has concerns about traffic as well. The area has added the Metro Market and The Ruckus has increased traffic but questioned what is being done to alleviate traffic. He has concerns about speed of cars on his street. He suggested making Wood Place a one way street to alleviate some of the traffic potentially. Mr. Plummer explained that eliminating the north entrance/exit out of the parking lot will lessen traffic onto Wood Place.

With no further comments, President Rozek closed the public hearing at 8:30 p.m.

Ms. Kiely Miller asked about school security. President Rozek asked if school security is a criteria to base a decision on. Attorney Bayer explained that there are two things to consider the conditional use which decides if the use is appropriate for the space and also the special exception that would allow them to not conform to the parking requirements. He added that the first criteria relates to public health and safety.

Ms. Kiely Miller asked about the fencing, play area safety and who has access to the building. Mr. Plummer stated the requirement is a five foot fence around the play area. The vestibule has a staff member at all times and that parents are all issued two key cards allowing them access to the building. If someone does not have a key card they have to be buzzed into the building and have to be labeled on an access list/pickup list. There will be cameras throughout the building as well.

Mr. Pete Damsgaard stated that the play yard would have an emergency egress into the area and meets all code requirements.

The meeting was recessed briefly at 8:39 p.m.

The meeting resumed at 8:44 p.m.

Mr. Plummer also added that in regards to safety only one class is allowed on the play structures at a time and each class has three teachers. There will be substantial supervision.

In regards to criteria number five relating to traffic congestion, Ms. Therese Klein asked how deliveries to the facility would be handled. Mr. Plummer explained that they support local farmers and businesses and typically the delivery trucks would be sized like a UPS truck. They would use the parking spaces being created on Wood Place or along Oakland Avenue. Based on their sites in Minnesota he does not envision the three parking spaces in Wood being used routinely and the delivery trucks could park there when available. He added that the site uses a van and/or bus for field trips and these could be stored off site somewhere.

Ms. Kiely Miller asked about the likelihood of moving the bus stop and how child drop off will take. Mr. Plummer stated it typically takes five to ten minutes for drop off.

President Rozek asked about the bus impact and the circumstances regarding its last relocation. Mr. Griepentrog explained that when The Ruckus was getting approvals the Village reached out to MCTS requesting to have the bus stop relocated. No documentation was able to be found regarding the agreement to move the bus stop but that MCTS stated it would not like to move it back. Ms. Kiely Miller asked about with timing for drop off she had a concern of cars stacking up onto Oakland Avenue.

President Rozek asked to clarify that the main entrance to the building was moved to the north end of the building and asked how the traffic around the space was going to work. Mr. Griepentrog did confirm that the entrance did shift from the south to the north end of the building per the plans submitted. Parents dropping off in the parking lot would have a longer walk to the entrance but would lessen traffic possibly with traffic only allowed out onto Jarvis Street. If parents would turn onto Wood Place with no parking on the south side of Wood Place they would have to turn around and come back west on Wood Place to park on the north side of Wood Place.

Mr. Damsgaard added that the entrance could be shifted to the south and plans exist with that scenario.

Trustee Amenta added that parents could turn right onto Jarvis Street and circle around to Wood Place to park on the north side of the street. She added that many parents likely would not want to park in the structure across the street to drop off or pick up children and that the neighborhood to the east of the facility will be impacted the most.

President Rozek added that there is no allowed employee parking on the fourth floor of the parking structure across the street and employees should not park there.

Mr. Wycklendt stated his concern was that the area has high congestion already and two cars are hard to fit down the street. He added that parking spaces are being taken away in this case and more cars are being added to the area also.

President Rozek added that it is clear there is no objection to the type of use and that the vacancy being filled is important but even with the applicant making a good case with transit use that still leaves a large concentration of vehicles at drop off and pick up. President Rozek also stated that we do have a great transit system here but our ridership is not the same as that in Minnesota. In Shorewood pedestrian and bicycling is used more than transit. The moving of the entry to the south of the building helps but how that existing parking lot is used between all tenants is an issue that hasn't been explained.

Trustee Amenta asked what specific additional information is being required. Mr. Griepentrog explained that staff could reach out to the Village's contracted engineer to review and add comment regarding the traffic impact or the commission could request the applicant provide a traffic study to be reviewed by staff/engineer. Trustee Amenta stated she didn't feel that this use created more traffic demand than say another Goldi's like business did. She added that she understands the use will create more use at certain peak times but next to no use at other times and was leery of requiring a traffic study and put traffic problems created by recent development on new potential businesses.

Ms. Kiely Miller requested details on the parking that the Village rents out in the lot and what times it is used for the purpose of overnight parking and a traffic study showing the flows of traffic similar to the report provided them when they considered the North Shore Bank's special exception.

Mr. Wycklendt added that he wasn't sure tabling the item was going to alter the commission's decision and finding the required parking spaces was difficult for the applicant. His concern was there was no supporting documentation/evidence regarding the parking situation. President Rozek asked if it was determined where the estimated 15 employees who drive would be parking. Mr. Griepentrog stated that Ogden indicated that all tenants shared the spaces in the parking lot and it was a first come first served. He believed based on that the employees of Casa de Corazon would park in the lot if space was available.

President Rozek stated it makes a difference for her knowing how the employee parking is going to be accommodated in order to make a decision.

Trustee Amenta added that the commission didn't ask the other applicants where all their employees were going to park and felt should be consistent. Mr. Wycklendt added that the other applicants were not removing parking as well as adding parking like Casa de Corazon.

Ms. Klein added that for the safety of children and parents moving the entrance to the south end of the building is a better use of the building. The use seems great. The traffic/parking issue could be short term at particular times of the day and parents will take alternate routes to get to the school too.

President Rozek added that at Lake Bluff Elementary and Atwater the streets have significant space for parents to pull up along the school to drop off. With this location if the bus stop remained in its location, Wood Place remains in its current configuration and all the parking is taken and the back is full with a play set there is nowhere for parents to pull over to drop off. Ms. Kiely Miller added that she thought the Village a few years ago made some modifications to parking regulations to alleviate the queuing up of cars during pick up and drop off at St. Robert's. President Rozek explained that St. Robert's does have a parking lot for parents to drop off, turn around and leave but there were still significant backups on Farwell Avenue. They had to re-modify the configuration and additional staff/security was added to help keep traffic flowing.

Mr. Griepentrog also added that the commission could approve the item subject to conditions such as moving the entrance of the building to the south end.

President Rozek asked the commission if anyone had concerns regarding the criteria for special exception. She stated criteria 1, 2, 7 and 10 of 535-51B all related to parking. Ms. Kiely Miller stated that when the commission considered The Ruckus special exception she remembers that spaces in the residential district could not be counted as open spaces for the business. Mr. Griepentrog confirmed this.

President Rozek made a motion to be reelected as commission chair. Trustee Amenta was named acting commission chair.

President Rozek moved to defer consideration of conditional use and parking special exception for a proposed early learning center/daycare at commercial property 4114 N. Oakland Avenue and direct staff to come back with a limited engineering study and a site plan modification with the proposed second entrance if available. Ms. Kiely Miller seconded. Vote 5-1 to approve.

13. Adjournment.

Trustee Amenta moved to adjourn the meeting at 9:30 p.m., seconded by Mr. Couto. Vote to adjourn 6-0.

Recorded by,

Crystal Kopydlowski

Crystal Kopydlowski
Planning Department Administrative Clerk