



**Plan Commission  
Meeting Minutes  
March 22, 2022**

3930 N. Murray Avenue, Village of Shorewood, WI 53211

**1. Call to order.**

The meeting was called to order at 6:31 p.m.

Present via teleconference: President McKaig – Chair, Trustee Bockhorst, Commissioners Klein, Kiely Miller, Couto  
Excused: Commissioners Pollack and Wycklendt  
Others present: Planning Director Griepentrog, Planning Administrative Clerk Kopydlowski.

**2. Approval of January 25, 2021 meeting minutes.**

Mr. Couto moved to approve the minutes, seconded by Ms. Kiely Miller. Ms. Kiely Miller provided a grammatical correction. Vote to approve with the grammatical correction 4-1; Trustee Bockhorst abstained.

**3. Discussion of proposed amendments clarifying “site restriction” regulations related to “green space” requirements contained within Article III General Provisions of Chapter 535 Zoning of the Shorewood Village Code.**

**a. Overview and Discussion**

Mr. Griepentrog gave an overview of the item. It is the role of the Village Planning and Zoning Administrator to perform commercial zoning reviews and as part of those reviews the Village has not administered lot coverage ratios for commercial properties. In 1986 the Village added to the ordinance more specifications with respect to driveways, patios and garages that required 30% green space. Staff has always administered the green space requirement with respect to only residential properties. Last month an appeal was received regarding the proposed development at 2420 Capitol Drive which noted that the green space requirement was not included. Based on the information provided, none of the commercial properties in the village have been held to that standard. To clarify the code for both applicants, neighborhoods and residents, a discussion was requested to determine whether or not this particular section should be amended to relate it specifically to residential properties and to put it in the section specific to driveways, patios and porches. This item was originally on the agenda as a recommendation but changed as the code requires discussion before a recommendation can be made.

Ms. Kiely Miller asked if the 10% for accessory structures referred to garages, greenhouses, guesthouses or other accessory structures only being allowed 10% lot coverage. Mr. Griepentrog said yes and that it primarily relates to garages. She referenced past discussions regarding accessory dwelling units and questioned if this would impact that. Mr. Griepentrog stated those units are typically built above garages or within garages and not in addition to. Ms. Kiely Miller asked if the front yard percentage excluded the public right of way. Mr. Griepentrog said yes and also excludes areas pertaining to accessory structures, primary structures, driveway, patios etc.

Ms. Kiely Miller questioned how we think of the buildings on the commercial streets that are all residential (apartment buildings) and what category they are because they are

residential and commercial. Mr. Griepentrog said this pertains to the zoning of the property not necessarily the structure that is built on it.

Ms. Kiely Miller said a number of years ago the Conservation Committee came out with guidelines for the village on development and asked how those guidelines work into this discussion. She asked if those had any recommendations on green space or things to consider for the future. Mr. Griepentrog said this is not intending to change anything as this is already administered on residential properties but has not ever been administered on commercial properties. It is believed that when this was adopted in 1986 it was done so in perhaps the wrong place and there was no discussion of wholesale changes in the commercial district at the time. He said commercial properties are primarily all commercial building or all parking lot and what is being discussed is a matter of cleaning up the code.

President McKaig opened the public comment at 6:45 p.m.

Daniel Walsh, 4024 N. Stowell Avenue, stated he just became aware of the meeting today and questioned why there was no notice to the public. He asked if an evaluation has been done on all commercial properties to indicate that all of them have less than 30% green space. He said that when this passed, they could have said that it didn't apply to commercial properties but they did not. He said there are multiple comprehensive plans, main street plans, conservation reports all saying to increase the amount of greenspace in new development. He said there has been complaining about the development on Oakland because it doesn't have enough greenspace, appears too big and is mostly concrete. He said just because you have been applying the code in a particular way does not mean that is how the code reads. He said that the intention of the code is not clear. He said there are plans saying more greenspace and a code that provides for that greenspace and now are going to change the code to ignore the things residents want. He said it is impossible to say that in 1986 this did not apply to commercial properties. He said residents want more greenspace and to propose a change eliminating green space requirements is doing damage to the community.

Mr. Couto asked if there has been a request from the public regarding this item and why this is before them now. Mr. Griepentrog said this has been known his entire time with the Village and Inspector Burris' entire time with the village as well. The reason it is before them is because of receiving the specific appeal that it is not being administered. In order to clarify why it is not being administered he would like the Plan Commission to have this discussion. He said if the Plan Commission and the Village Board want to apply the 30% greenspace to commercial properties, he would need that specific direction because there is no history or precedent of that being applied to any former or current redevelopment. He is seeking clarification from elected and appointed officials as to how to administer the zoning code. It is his interpretation that the history of this code has been tied specifically to driveways, patios and porches on residential properties. He provided the ordinance and the meeting minutes of which it was discussed and there were no wholesale changes discussed with respect to adding greenspace to commercial properties. He said it is before them for clarity and to understand how the code is being administered. Mr. Couto understands this is part of maintenance and upkeep of the code but it is odd this is the one thing that has popped up. He has not heard anyone say to get rid of this. He understands it has been on the books and not enforced but was created for a reason. He questioned why it hasn't been enforced and why when we have plan after plan, commissions/committees and the community wanting greenspace we are going back on that now. He has not heard a push from the community for less greenspace.

Mr. Griepentrog stated the Board of Appeals will likely hear the appeal before the next Plan Commission meeting. He said if they are fine confirming how the code has been

administrated then there is no need to change the code. He is just bringing this before them because it has been a known error and one, he would like to clean up. It is coming as a request from him. Mr. Couto asked if this is an error in the code or was it purposefully written into the code and just never enforced/administered. Mr. Griepentrog gave the commission all the history he has found on it and nothing in that history relates to changing the commercial look of the village. He said it was done with respect to neighborhoods in mind. He said this is a change to clean up the code so that it matches administration.

Ms. Kiely Miller said the change is clear in that it is only pertaining to residential lots. She said in the future a separate discussion could be had regarding any commercial requirements. She said there is definitely a difference in how we apply codes to residential versus commercial. Mr. Griepentrog stated his goal is to clarify how the code is currently being administered and if the Plan Commission and Village Board want to modify those requirements for commercial properties that conversation could take place during the zoning code update going on currently.

President McKaig appreciated the comments about the recommendations from the Conservation Committee and that those should be given to the consultant for the zoning code update so they are referenced and considered.

Kate Flynn Post, 4541 N. Morris Blvd. (6:58 p.m.) said she is a member of the commercial zoning update working group and said this issue was one of the first things she noticed and stood out to her when reviewing the code. She would like to see it cleaned up.

With no further comments the public hearing was closed at 7:03 p.m.

**4. Discussion of findings of Task 1 Initial Review, Analysis, & Project Introduction of the commercial Zoning Update.**

President McKaig said this is an interim memo and there are no conclusions to draw at this stage. The memo gives a baseline of uses and building forms that have been observed by the consultant as a starting place.

Mr. Griepentrog said this item was for informational purposes only and when the consultant completed task one findings it would be presented to the Commission in a memo. This is the consultant's scan of the district where she identifies the primary building types and forms in the four areas which will help guide her regulations and code update moving forward.

Ms. Kiely Miller said the memo was very interesting and asked if any changes or comments should be emailed to staff. Mr. Griepentrog said yes.

**5. Update on return to in-person Plan Commission meetings.**

Mr. Griepentrog said at the Village Board meeting on March 21 the emergency order was revoked. With the order being revoked virtual meetings only can no longer be justified. Board/Commission will be meeting in-person again starting in April. There is a desire for hybrid meetings which the Village Board will be testing. President McKaig stated that in-person meetings are ideal but that if a member cannot attend in-person they can request to call in at the discretion of the board/commission chair.

**6. Future agenda items.**

Mr. Griepentrog stated there has been one conditional use application received for an event center and has followed up with the applicant requesting more information. That application and the zoning update would be on an April meeting.

**7. Adjournment.**

Trustee Bockhorst moved to adjourn the meeting at 7:09 p.m. Seconded by Mr. Couto. Vote to adjourn 5-0.

Recorded by,

A handwritten signature in blue ink that reads "Crystal Kopydlowski". The signature is written in a cursive, flowing style.

Crystal Kopydlowski  
Planning Department Administrative Clerk