

The meeting was called to order at 7:15 PM by Mayor Tutaj. Following the Pledge of Allegiance and a moment of silence for the community, roll call was taken.

Present: Mayor Tutaj, Alderpersons Wattawa, Calderon, Brickner, Feirer, Damon and Fliss

Also Present: City Administrator Johnsrud, City Attorney Alexy, City Clerk/Treasurer Uecker, City Engineer Dejewski, Police Chief Hunter, Fire Chief Poplar, and interested citizens

Statement of Open Meetings Compliance:

City Clerk/Treasurer Uecker stated that the meeting had been properly posted and noticed.

Public Hearing:

- None

Presentation:

- None

Consent Agenda:

Moved by Alderman Brickner, seconded by Alderwoman Fliss to place on file with reference in the minutes and approve all items listed under Consent Agenda on the September 6, 2022 Common Council agenda. Motion carried.

Recommendation of Action from Committees/Commissions/Boards:

Moved by Alderman Brickner, seconded by Alderman Damon to approve a Beverage Operator's License – New for Mya Roberts. Motion carried.

Moved by Alderman Brickner, seconded by Alderman Damon to approve an Outdoor Cabaret License for Faklandia Brewing – Ben Mantay at 3807 South Packard Avenue for the Made in Nerdwaukee event to be held October 8, 2022 from 11:00 a.m. to 6:00 p.m. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Damon to approve the LEA Grant Memorandum of Understanding. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Damon to authorize the purchase of a 2023 Dodge Charger in the amount of \$35,063. Motion carried.

Moved by Alderman Feirer, seconded by Alderwoman Calderon to transfer \$123,000 from PPII to Green Solutions Fund and that any remaining funds be used for lateral construction. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to authorize City Staff to prepare a proposed amendment to Section 455-58 that would provide regulations to permit the placement of structures other than buildings within the established right-of-way. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to allow the parking reduction at 2235 and 2227 East St. Francis Avenue from 4 covered spaces to 2 covered spaces, to reduce the 13 required parking spaces to 11 parking spaces total contingent upon the submission of the CSM survey map to combine the properties into one parcel and upon the paving and striping of the parking lot. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to direct the City Attorney to prepare the appropriate ordinance for change of zoning for 1301 East Waterford Avenue and to set the Public Hearing for October 4, 2022. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to direct the City Attorney to prepare the appropriate ordinance for change of zoning for 4016 South Packard Avenue and to set the Public Hearing for October 4, 2022. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to direct the City Attorney to prepare the appropriate ordinance for change of zoning for 4421 and 4425 South Kansas Avenue and to set the Public Hearing for October 4, 2022. Motion carried.

Resolutions and Ordinances:

Moved by Alderwoman Fliss, seconded by Alderman Wattawa to introduce and adopt a Resolution to Approve First Amendment to the Detailed Planned Unit Development Plan for Makers Village Investors Group, LLC – 2517 East Norwich Avenue – PIN 584-9975. Motion carried. **Resolution No. 2837**

Discussion Items with Possible Action:

Moved by Alderman Damon, seconded by Alderman Wattawa to refer to the September 20, 2022 Common Council meeting the Block Party/Street Closing request from Faklandia Brewing for October 8, 2022. Motion carried.

Moved by Alderman Damon, seconded by Alderman Wattawa to refer to the September 20, 2022 Common Council meeting the Placement of Tent in Right-of-Way – Packard Avenue request from Faklandia Brewing for October 8, 2022. Motion carried.

Moved by Alderman Brickner, seconded by Alderman Feirer to direct the City Attorney to prepare the appropriate ordinance to allow for electronic signs at each St. Francis School District location. Motion carried.

Appointments to Committees/Commissions/Boards:

- None

Correspondence with Possible Action or Referral to Committees/Commissions/Boards:

Moved by Alderman Brickner, seconded by Alderman Wattawa to place on file with reference in the minutes the correspondence dated August 31, 2022 from Chief Poplar regarding Training/Travel Request and to approve the request. Motion carried.

Moved by Alderman Wattawa, seconded by Alderwoman Fliss to place on file with reference in the minutes the correspondence dated July 21, 2022 from Makers Village Investors Group regarding Amendment to PUD to permit Outdoor Storage. Motion carried.

Unfinished Business:

- None

Announcement by Mayor Concerning Closed Session:

Convene into Closed Session:

Moved by Alderman Feirer, seconded by Alderman Wattawa to adjourn to Closed Session pursuant to Wis. Stat. Sec. 19.85(1) (e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a Closed Session. Items for discussion: Hidden Ponds Development. The following voted "aye": Alderman Damon, Alderwoman Fliss, Alderwoman Calderon, Alderman Feirer, Alderman Brickner and Alderman Wattawa. Motion carried.

Time: 8:03 p.m.

Adjourn:

Moved by Alderman Damon, seconded by Alderman Feirer to adjourn. Motion carried.

Time: 8:35 p.m.

Resolution No. 2837

**RESOLUTION TO APPROVE FIRST AMENDMENT TO THE DETAILED PLANNED UNIT DEVELOPMENT PLAN
FOR MAKERS VILLAGE INVESTORS GROUP LLC**

2517 E. NORWICH AVENUE

PIN: 584-9972

WHEREAS, on September 17, 2019, by enactment of Ordinance No. 1455, the Common Council of the City of St. Francis conditionally rezoned the approximately 2.36 acres of real property encompassing Tax Key Number 584-9972 and commonly referred to as 2517 East Norwich Avenue, City of St. Francis, County of Milwaukee, Wisconsin (more particularly described in the attached Exhibit A and hereafter referred to as the “Subject Property”) as a Planned Unit Development-Mixed-Use to permit redevelopment and use of the property for purposes of (1) wood shop, metal shop, welding shop, hand forge, hobby casting, crafting, and similar types of activities conducted that may otherwise be conducted by Applicant’s members on a hobby basis in a residential setting; (2) rentable work and storage for Applicant’s members; (3) rentable space and support for Applicant’s members engaging in startup of businesses related to other uses enumerated herein; (4) rentable artist workshops; (5) a “Maker Mall” for use by Applicant’s members to display and sell their products at retail; and (6) retail space for small businesses that sell supplies to Applicant’s members for use onsite, all as set forth in the initial PUD Project Plan attached and incorporated into Ordinance No. 1455 by reference as Exhibit B, and subject to initial and continued compliance with each of the conditions stated in Section 2 of said Ordinance; and

WHEREAS, on September 17, 2019, the Common Council, by the enactment of Resolution No. 2790, the Common Council of the City of St. Francis also approved a Detailed PUD Plan for the Subject Property as required under § 455-34(E) to permit the development of the Subject Property subject to the conditions set forth in Resolution No. 2790; and

WHEREAS, by application dated May 10, 2022, Makers Village Investors Group LLC (“Applicant” or “Developer”) requested that the City approve an amendment of the Detailed PUD Plan to also include use of certain specified locations on the existing parking lot on the Subject Property for purposes of outdoor long-term parking (storage) of certain specified vehicles; and

WHEREAS, on May 25, 2022, the Planning Commission considered the Developer’s request and having received input from City Staff, recommended that the Common Council approve the proposed amendment to the detailed PUD plan for the Subject Property upon Developer’s incorporation of requested revisions; and

WHEREAS, on June 21, 2022, Developer submitted a revised application for amendment of the Detailed PUD Plan for the Subject Property to address the concerns of the Planning Commission concerning the visual impact of the proposed revision as set forth in the revised proposed amended site plan attached hereto and incorporated by reference as **Exhibit ____**; and

WHEREAS, § 455-34(F)(2) of the City of St. Francis Code permits “minor changes” to be made in an approved detailed PUD Plan without a public hearing provided that the detailed PUD plan remains consistent with the spirit and intent of the initial PUD and that the modification will not:

- (a) Change the general character of the planned development.
- (b) Cause a substantial relocation of principal or accessory structures.
- (c) Cause a substantial relocation or reduction of parking, loading or recreation areas.
- (d) Cause a substantial relocation of traffic facilities.
- (e) Increase the land coverage of buildings and parking areas.
- (f) Increase the gross floor area of buildings or the number of dwelling units.
- (g) Reduce the amount of approved open space, landscaping or screening.

WHEREAS, the Common Council, having duly considered the Developer’s requested amendment as revised on July 21, 2022 and having determined that it constitutes a minor change under § 455-34(F)(2) of the City of St. Francis Code; and

WHEREAS, the Common Council having concurred with the recommendation of the Planning Commission; and

WHEREAS, the Common Council having found that the proposed amendment remains consistent with the spirit and intent of the initial PUD;

NOW, THEREFORE, the Common Council of the City of St. Francis, Wisconsin do ordain as follows:

SECTION 1. It is hereby RESOLVED that, commencing on the date hereof, the Detailed PUD Plan for the Subject Property submitted June 11, 2019 and as presented on June 26, 2019, together with the plans and specifications thereto is hereby AMENDED to permit the use of the parking lot of the Subject Property as set forth in the Developer’s requested amendment dated July 21, 2022 and the site plan incorporated therein subject to initial and continued compliance with all of the following:

1. Developer shall address all comments and recommendations by City Staff concerning plans and specifications and receive final approval from the City Engineer of all plans and specifications.
2. Except as otherwise specifically provided in this Resolution, the Subject Property shall be subject to the Detailed PUD plan for the Subject Property set forth in the detailed PUD Plan approved on September 17, 2019 Exhibit B to Resolution No. .
3. The Subject Property shall be subject to initial and continued compliance with all applicable provisions of § 455-35 of the City Code of Ordinances.
4. Except as expressly set forth in this Resolution, Developer’s development and use of the Subject Property shall be subject to initial and continued compliance with the Detailed PUD Plan and the plan presentation to the Planning Commission on June 26, 2019 and the plan presentation to the Common Council on September 17, 2019.
5. Except as set forth herein or the detailed PUD plan approved September 17, 2019, no change(s) shall be made to any structures, traffic, access, or parking concerning the Subject Property or to any public utilities serving the subject property except upon

- further amendment of the PUD Plan, which must be requested, and shall be subject to approval by the City of St. Francis, pursuant to the provisions of Chapter 455, Article IV of the City Code.
6. The Developer shall be required to obtain any and all required licenses and permits from the City, County, State, and Federal Government, and Metropolitan Milwaukee Sewerage Commission. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.
 7. The Developer shall comply with all Federal, State, County, regional, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the Subject Property.
 8. The Subject Property shall be maintained in compliance with all Federal, State, and local laws, statutes, codes, ordinances, policies, and guidelines as determined by the Building and Fire Inspectors of the City of St. Francis.
 9. Developer is required to properly maintain the Subject Property at all times and in full compliance with all applicable provisions of the City Code of Ordinances.
 10. No junk shall be accumulated or stored on the Subject Property. No burying or burning of junk is permitted on the Subject Property.
 11. No temporary use or special activity or event shall be permitted on the Subject Property without prior approval of the Common Council and the same must be in compliance with all ordinance, rules, and regulations of the City of St. Francis and all necessary permits must be obtained.
 12. The Developer, upon approval of this Resolution, shall reimburse the City of St. Francis for all expenses incurred by the City, including, but not limited to, expenses for the City Administrator, City Engineer, City Attorney, and all other professionals and technical assistance realized by the City in approving the proposed development of this Property and granting this Resolution. The City Clerk shall provide the Developer with copies of all itemized invoices.
 13. Any attorney fees incurred by the City of St. Francis to enforce any of the conditions or requirements of the PUD Plan for the Subject Property must be paid by the property owner.
 14. Any use not specifically listed as permitted in this Resolution shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Planning Commission for determination.
 15. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the City of St. Francis, the County of Milwaukee, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property above described in any specific respects described herein. This order shall not be

deemed to constitute a building permit, nor shall this order constitute any other license or permit required by City ordinance or other law.

16. The Developer, upon granting of this Resolution to the Detailed PUD Plan, shall agree to accept the same in writing.

17. The provisions of this Resolution, and the Detailed PUD Plan approved in Exhibit B, shall be binding upon the Developer, its successors in interest to the Subject Property, and all existing and future occupant(s) of the Subject Property.

SECTION 2: SEVERABILITY. The several sections of this Resolution are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the Resolution. The remainder of the Resolution shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this Resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This Resolution shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 6th day of September 2022.

CITY OF ST. FRANCIS

By: /s/Ken Tutaj

Ken Tutaj, Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

Anne B. Uecker, City Clerk/Treasurer

DEVELOPER ACCEPTANCE

The foregoing Resolution Approving the Detailed PUD Plan is hereby accepted in its entirety.

Makers Village Investors Group LLC.

DEVELOPER:

Makers Village Investors Group LLC

By: /s/Daniel Jonke
Daniel Jonke, Managing Member

September 6, 2022
Date

Exhibit A

Legal Description

That certain real property located in Milwaukee County, State of Wisconsin, and more particularly described as follows:

The West 537 feet of the North 249.65 feet of the South 2003.49 feet of the Northeast 1/4 of Section 22, Town 6 North, Range 22 East, in the City of St. Francis, County of Milwaukee, State of Wisconsin, except the North 33 feet and the West 33 feet.

Tax Key No: 584-9972

Address: 2517 E. Norwich Avenue

EXHIBIT B

Detailed PUD Plan Amendment Request and Site Plan Dated July 21, 2022

July 21st 2022

Honorable Planning Commission
City of St. Francis

Subject: Amendment to PUD zoning to permit Outdoor Storage

Gentlepersons:

On behalf of Makers Village Investors Group LLC, we are requesting an amendment to the PUD zoning covering our property at 2517 E Norwich Ave. to permit Outdoor Storage in accordance with the plan outlined below. Please reference the attached drawing of our land and parking lot layout.

The following plan has been revised in accordance with the discussion that occurred at the planning commission meeting on 2022-05-25.

I have already brought our parking lot into compliance with this plan, the visible impact along the street frontage will be minimal, as seen in the attached photographs.

All modifications to our existing parking lot layout are highlighted. Color codes apply as described below:

Green: Van, Light Truck, Utility Trailer - Several members who own cargo vehicles will leave their vehicles in the lot overnight. Some are owned by our business tenants, some of these vehicles may also

be projects, staying for an extended period while under renovation. None of these would be large CDL type vehicles. Right now we have one light duty box truck, one pickup truck, and several vans. We also store cargo trailers, towable by normal passenger cars/trucks. We have a few trailers that are shared by several members and one of our business tenants. They are often stored at the building overnight between uses.

Yellow: Correa Tow Truck - This is where Rudy Correa, one of our existing business tenants, is parking his commercial tow truck when he leaves it at the space overnight, it is in front of the garage space that he is renting.

Red: RV, Bus, Camper - This is where we propose to store up to 5 vehicles at a time. These will be stored/project vehicles, staying for an extended period while under refurbishment or renovation. None of these are commercial vehicles.

Thank you for your consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel Jonke". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Daniel Jonke
Managing Partner
Makers Village Investors Group LLC

E. NORWICH ST.

S. PENNSYLVANIA AVE.





