

VILLAGE OF EAGLE PLANNING COMMISSION  
“APPROVED” MINUTES – JANUARY 27, 2009

President Spurrell called the January Planning Commission meeting to order at 7:00 p.m. The secretary confirmed Open Meeting Law requirements. Roll was taken: Couch, Deegan, Wilkinson, Lisiecki, Thomas, R. Spurrell – present; Steinbach – excused. Also in attendance was Brian Depies from Bielinski and Mike Rice, Village Trustee.

Moved by Wilkinson, seconded by Lisiecki to approve the October 27<sup>th</sup> meeting minutes. Motion carried.

There were no citizen comments.

Mike Rice representing the Eagle Smart Growth committee was in attendance to discuss with members of the Planning Commission Chapter 9 Land Use and whether certain areas on the map used in the 2001 Comprehensive Plan reflect what is anticipated and referenced in the Waukesha County map for 2035. These included the density requirement in Fox Chase East which should be listed as low density, the area in the SW corner of the Village, specifically the site for the new Catholic Church which should be shown as institutional, the Porter property that was annexed should be shown as mixed residential/commercial and the condominiums on 67N which should be listed as medium density. The full updated Chapter 9 will be distributed prior to the February monthly meeting at which time it will be reviewed.

President Spurrell reported that himself and Trustee Couch had met last month with Harry Bielinski who indicated that they (Bielinski) are unsure if all of the senior housing units can be rented as a result of the downturn in the economy and would like to run a modification by the Planning Commission and Village Board. After a year of the first occupancy if 85% of the units are not rented, the remaining units would be open and the age limit would be lifted.

Brian Depies reviewed the process with the financing indicating the construction loan would cover the first building. Plans have been submitted to the building inspector with the costs of the permits exceeding \$10,000. He stated that of the 17 interested seniors, 16 have homes but are not willing to put them on the market at this time. With this, if the project goes forward, they are looking at 2010. Their executive team is looking at the “what if” side. Depies emphasized that the project is for senior housing, not straight apartment rentals. Rentals would range from \$800 for one bed, one bath to \$1075 for two bedrooms, two baths. Bielinski would like to come up with some type of language to keep the project going. Trustee Couch questioned that if we (the Planning Commission) agreed, could we get an exact starting date? He also brought up the idea of low-income senior housing. President Spurrell explained that the wording in the Village Impact Fee Ordinance states that fees can be waived if the project is for subsidized senior housing. Wording in the State Statutes is based on low rentals, making this area a little vague. He also indicated that the Senior Housing Agreement was agreed upon, but has not been executed; the agreement has not been signed. Spurrell stated that he understands that Harry Bielinski wants reassurance, but where does the Village get the reassurance that the age levels will be maintained so that the Village and the residents get what they want and that the project does not become a free for all? Age 55 is the federal guideline.

Discussion followed regarding the timeline of construction, the technical aspect of it would not be senior housing if there is no age restrictions and the question of is it senior housing or plain multi-family. President Spurrell stated the bottom line is the Village cannot force Bielinski to build. While he definitely wants to see the project move forward, he stated two (2) questions that need to be answered: 1) is the Commission okay with possibly removing the age restrictions and 2) what is our low-cost definition? Is the Village willing to accept the possibility of multi-family?

Further discussion followed regarding possible wording changes and other possible options. While no action was taken, it was the consensus of the Planning members that the two (2) attorneys get together and attempt to formulate some sort of wording to reassure both the Village and Bielinski of the intent of senior housing. If needed the Planning Commission may hold a special meeting prior to the regular February Board meeting to make a formal recommendation.

President Spurrell then stated that the Developer's Agreement for Fox Chase East has been duly signed; Bielinski would like to modify the delineations of the Phase One and Phase Two boundaries. Mr. Depies indicated that with the sale of Lots 32, 31, and 30, Lot 29 has brought interest. They would like to include Lot 29 in Phase One; water mains and utilities would need to be extended. Moved by Wilkinson to recommend to the Village Board approval of the addition of Lot 29 to Phase One of Fox Chase East. Deegan seconded the motion. Under further discussion, clarification was made that Bielinski's Attorney, Voeller and Village Attorney Reilly meet to agree upon a letter for the modification. Motion carried.

There being no further business, the meeting adjourned at 8:50 p.m. on a Wilkinson/Deegan motion.

Respectfully submitted,

Shirley Mealy  
Planning Secretary