

**CITY OF ELKHORN  
NOTICE OF PUBLIC HEARING**

**2040 COMPREHENSIVE PLAN AMENDMENT**

Notice is hereby given that a public hearing will be held before the Plan Commission of the City of Elkhorn on November 3, 2022, at 6:00 P.M. or soon thereafter as the matter may be heard in the Council Chambers, City Administration Offices, 311 Seymour Court, Elkhorn, WI for the purpose of hearing all interested parties, their attorneys or agents with respect to the proposed amendment to the Elkhorn 2040 Comprehensive Plan submitted by Creekside Community Development, LLC. The City of Elkhorn seeks to amend the Comprehensive Plan to change the site designation of approximately 69.62 acres on Lincoln Street from Highway Oriented Commercial and Light Industrial to Highway Oriented Commercial and Higher Density Residential. The property is more precisely identified by the following tax parcel ID number:

**YVSE 00016**

The City of Elkhorn will attempt to accommodate anyone with special needs if requests are made a sufficient time in advance. The City Clerk can be reached at: (262) 723-2219.

Dated this 22nd day of September 2022.

Lacey Reynolds  
City Clerk

Publish 1x: 09/29/2022  
Elkhorn Independent

**A RESOLUTION TO RECOMMEND AN AMENDMENT TO THE  
CITY OF ELKHORN COMPREHENSIVE PLAN 2040**

WHEREAS, Sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes set out the requirements for long-range comprehensive planning for cities, villages, and towns across the State; and

WHEREAS, Sections 62.23(2) and 62.23(3) of the Wisconsin Statutes authorize the Plan Commission to prepare, amend, and recommend a Comprehensive Plan for the City of Elkhorn; and

WHEREAS, the Plan Commission of the City of Elkhorn received an application from Teronomy Builders, Inc. to amend the City's Comprehensive Plan 2040 ("Comprehensive Plan") to change the future land use map designation of Tax Parcel YVSE 00016 from a mix of light industrial and highway oriented commercial to a designation of both highway oriented commercial and higher density residential; and

WHEREAS, a public hearing, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes, has been conducted by the Plan Commission on the application to amend the Comprehensive Plan; and

WHEREAS, the Plan Commission has considered the materials supplied in support of the amendment application as well as the comments and information received during the public hearing; and

WHEREAS, based upon the aforementioned documentation and information provided to the Plan Commission, the Commission thinks it is in the best interest of the City to amend the Comprehensive Plan as requested by the applicant; and

WHEREAS, the Plan Commission must therefore make a recommendation to the City Council to adopt by ordinance the proposed amendment ordinance; and

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of the City of Elkhorn, Walworth County, Wisconsin, by a majority vote, hereby adopts the Comprehensive Plan amendment and recommends said Comprehensive Plan amendment to the City Council for adoption by ordinance.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2022.

CITY OF ELKHORN PLAN COMMISSION

BY: \_\_\_\_\_  
Bruce Lechner, Chairperson

ATTEST:

\_\_\_\_\_  
Lacey L. Reynolds, City Clerk

**CITY OF ELKHORN  
NOTICE OF PUBLIC HEARING**

**ZONING MAP AMENDMENT**

Notice is hereby given that a public hearing will be held before the Plan Commission of the City of Elkhorn on November 3, 2022, at 6:00 P.M. or soon thereafter as the matter may be heard in the Council Chambers, City Administration Offices, 311 Seymour Ct, Elkhorn, WI for the purpose of hearing all interested parties, their attorneys or agents with respect to a proposed amendment to the City of Elkhorn Zoning Map submitted by Creekside Community Development, LLC. The City of Elkhorn seeks to amend the Zoning Map to rezone approximately 69.62 acres on S. Lincoln Street from M-1 Light Manufacturing District to B-5 Highway Business District and RM-2 Multiple Family Residence District. The property is more precisely identified by the following tax parcel ID:

**YVSE 00016**

The City of Elkhorn will attempt to accommodate anyone with special needs if requests are made a sufficient time in advance. The City Clerk can be reached at: (262) 723-2219.

Dated this 13th day of October 2022.

Bonnie Schaeffer  
Zoning Administrator

Publish 2x: 10/20/22 & 10/27/22  
Elkhorn Independent

# PLANNING REQUEST

FOR OFFICE USE ONLY

PC# E22.09.021

## CITY OF ELKHORN - DEPARTMENT OF BUILDING AND ZONING

311 SEYMOUR COURT., P.O. BOX 920 • ELKHORN, WI 53121

PHONE: (262)741-5124 • FAX: (262) 741-5135

Notice: This document is an Official City of Elkhorn Document. All submittals must be made on Official City of Elkhorn Documents.

### 1. General Project Information:

Project Tax Key #: YVSE00016 Project Address: 511 S. Lincoln St, Elkhorn, WI  
State Highway 67 (Lincoln St)  
Project Title (if any): Creekside Community Development

### 2. Applicant, Agent & Property Owner Information:

Applicant's Name: Thomas L. Larson Company: Creekside Community Development LLC  
Street Address: N7152 Bowers Rd City/State: Elkhorn / WI Zip: 53121  
Telephone: (262) 642-9286 Fax: (262) 642-9228 Email: tommy@teronomy.com  
Agent: Ryan Cardinal Company: Cardinal Engineering  
Street Address: 1200 LaSalle St City/State: Lake Geneva / WI Zip: 53147  
Telephone: 262 757-8776 Fax: ( ) N/A Email: Ryan@Cardinalengineering.com  
Owner, if different from Applicant: under contract by Creekside Community Development, LLC  
Street Address: N7152 Bowers Rd City/State: Elkhorn / WI Zip: 53121  
Telephone: 262 642-9286 Fax: (262) 642-9228 Email: tommy@teronomy.com

### 3. Planning Request (Check all that apply)

- Site Plan and Architectural Review \_\_\_\_\_ \$175.00 plus \$.04 per sq. ft. (Floor Area)
- Conditional Use Permit \_\_\_\_\_ \$275.00
- Rezone \_\_\_\_\_ \$325.00
- Land Use Amendment \_\_\_\_\_ \$350.00 } **\$ 675.00 TOTAL**
- Planned Unit Development \_\_\_\_\_ \$325.00
- Preliminary Plan \_\_\_\_\_ \$200.00 plus \$20.00 per lot
- Final Plat \_\_\_\_\_ \$200.00 plus \$20.00 per lot
- Certified Survey Map \_\_\_\_\_ \$200.00 plus \$20.00 per lot
- Project Concept Review \_\_\_\_\_ \$150.00
- Conceptual Land Division \_\_\_\_\_ \$100.00 plus \$3.00 per acre
- Joint Conditional Use & Rezoning \_\_\_\_\_ \$575.00
- Joint Rezoning & Certified Survey Map \_\_\_\_\_ \$500.00 plus \$20.00 per each new lot
- Zoning Board of Appeals/Adjustment \_\_\_\_\_ \$325.00

# REZONE APPLICATION

FOR OFFICE USE ONLY  
PC# E22.09.021

## CITY OF ELKHORN - DEPARTMENT OF BUILDING AND ZONING

311 SEYMOUR CT., P.O. Box 920 • ELKHORN, WI 53121  
PHONE: (262)741-5124 • FAX: (262) 741-5135

Notice: This document is an Official City of Elkhorn Document. All submittals must be made on Official City of Elkhorn Documents.

I, (We), the undersigned owner(s)/agent do hereby petition the Plan Commission to grant a Zoning Amendment.

1. Address and legal description of the subject site (attach a separate sheet if necessary):  
see attached exhibit on legal description
2. Tax Parcel number: YV5E00016
3. Current Zoning District: M-1 Light Manufacturing District
4. Requested Zoning District: B-5 Highway Business and RM-2 Multifamily (PUD)
5. Requested Zoning text amendment Section: B-5 and Section 17.4-15
6. Petitioner's interest in the requested rezoning: Developer, owner and Property Management
7. List type and number of structures, proposed operation or use of the structure(s) or site, number of employees, parking, etc.: see attached narrative

I, (We) hereby certify that all the above statements and attachments submitted herewith are true and correct to the best of my knowledge and belief.

<p>PROPERTY OWNER (UNDER Contract)</p> <p><u>Thomas L. Larson</u> (Signature)</p> <p><u>Thomas L. Larson</u> Printed</p> <p>Address <u>N7152 Bowers Rd</u> <u>Elkhorn, WI 53121</u></p> <p>Phone <u>262-642-9286</u></p>	<p>OWNER'S AGENT/Engineer</p> <p><u>[Signature]</u> (Signature)</p> <p><u>Ryan Cardinal</u> Printed</p> <p>Address <u>1200 La Salle St.</u> <u>Lake Geneva, WI 53147</u></p> <p>Phone <u>262-757-8776</u></p>
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---- FOR OFFICE USE ONLY ----

Application Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Date Filed: \_\_\_\_\_ Date Published: \_\_\_\_\_ Date Notices Mailed: \_\_\_\_\_  
Date of Public Hearing: \_\_\_\_\_  
PLAN COMMISSION RECOMMENDATION: \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_



## **Rezone & Comprehensive Plan Amendment**

Creekside Community will improve the City of Elkhorn in far-reaching ways including the expansion and diversification of the local workforce, stimulate economic growth and vitality and improve its fiscal health.

### **CREEKSIDE WILL INCREASE THE CITY'S WORKFORCE AND DRAW MORE YOUNG PROFESSIONALS**

Creekside Community will target middle-income workers—a critical segments of the workforce that includes professionals such as police offers, firefighters, teachers, health care workers retail clerks, and the like. While Creekside will serve households of all ages and income levels, it is uniquely able to provide young professionals with the mobility they prefer. Community boasts many amenities including basketball, volleyball, tennis, and pickle ball courts. Other amenities include a “state-of-the art” club house and pool, fenced in dog park, walking trails with a meandering garden.

### **CREEKSIDE WILL HELP RETAIN ELKHORN'S BUSINESSES AND SUPPORT NEW BUSINESSES.**

Creekside Community will significantly increase the households and incomes in Elkhorn needed to support new retail and commercial development. The increase in households within a half-mile of Elkhorn's historical downtown will help it retain its existing retail and commercial businesses, help attract new retail and commercial businesses, and provide workers for those businesses. At a time when retail footprints across the nation are receding, Creekside will add commercial development.

### **CREEKSIDE WILL SIGNIFICANTLY INCREASE ELKHORN'S TAX BASE**

Creekside Community will significantly increase Elkhorn's tax base especially compared to a single-family, larger lot development. Creekside will increase the City's tax base more than \$80M tax base once fully built out with the commercial and residential components

Elkhorn will save significantly on costs incurred by critical physical infrastructure, such as new roads, water lines, and sewer lines. Savings are experienced in upfront capital costs, operations and maintenance costs, and eventual replacement costs. In this development, the private roads will be maintained by the owner including repaving, patch work, crack filling, sealing and snow removal. The same number of single-family homes would cost the City exponentially more in critical physical infrastructure maintenance, repair, and replacement costs. Similarly, Creekside Community will also lead to savings on the costs of ongoing delivery of public services, such as police, ambulance, and fire services as compared to a large single-family development.

### **CREEKSIDE'S DEVELOPMENT CONSERVES OPEN GREEN SPACES AND PROMOTES EFFICIENT USE OF LAND**

Fifty-eight percent of Creekside will be green space, which is almost twice the amount required by the code. The site design allows enough space to meet the storm water requirements of the City without compromising surrounding natural aesthetics of the property. Creekside's design and proximity to the downtown will make Elkhorn more walkable and cyclable. Not only will this improve the aesthetic experience of living in Elkhorn, the increase in foot and bicycle traffic can positively affect public, physical, and mental health.

The Creekside development will be a grand entrance boulevard with the clubhouse and pool centrally located as the main focal point of the residential development and will include a loop of the internal private road connections as recommended by staff. The developer has extensive experience in creating these types of communities, and found it is best to locate the amenities and parking areas conveniently between apartment buildings. The plan is to include a second access to Getzen Street as recommended by City staff and the Fire Chief.

**We are excited to move forward with this project and all the benefits it will bring to Elkhorn.**



Creekside  
Community Development  
Narrative (Rezone)

**Executive Summary:** This proposal is a comprehensive plan amendment along with a rezone of the approximately 68.3-acre parcel (commonly known as the Proctor Farm) to B-5 Highway Business, and Planned Unit Development with RM-2 Underlying property zoning. The Developers would like to create a multi-use site which would include Businesses along STH 67 (Lincoln Street) and a 16 multi-family building with 53 apartments in each of the buildings. Total number of apartment units will be 848 total units with 159 units of Senior Housing. The project will also include a full intersection at Deere Road and Lincoln Street. Deere Road would be extended through the Business property and terminate at the multi-family project. The commercial land is approximately 21 acres and the multi-family is approximately 49 acres and are shown on the rezone maps with further details.

**Creekside Community Development** will be a beautiful, safe and convenient mixed-use planned community. The Creekside commercial and residential property will be located along Lincoln Street near the Interstate 43 exchange. Creekside's commercial, residential and senior housing is conveniently located a few City blocks from the High School and from Elkhorn's Historical Downtown shopping and restaurants.

Creekside Community design reflects a significant effort of the development team to create a mixed-use community that balances senior housing, residential housing and commercial uses. The balance created between the types of housing and the commercial uses reflect the significant feedback from City representatives and staff.

**Commercial.** The development design plans for commercial uses that will front on Lincoln street just north of I-43 interchange. The commercial portion will embrace the concepts emphasizing walkability allowing the residents convenient access to restaurants and commercial or retail type businesses. The adjoining commercial and residential properties near the boulevard grand entrance will provide a unique transition into the dynamic neighborhood. The walking trails and trail connections will link the residential, senior housing, community amenities and the commercial areas together.

**Residential Housing.** The residential housing portion will provide high quality residential apartments with first class amenities, which include acres of green space, walking trails, clubhouse and pool, fitness center, a dog park, multi-use field, volleyball and basketball courts, playgrounds, community grill areas and pickle ball courts. This quality design housing will bring and retain young professionals in the City, and will provide a place for downsizing “empty nesters” to live. The residential housing portion will be approximately 12 units per acre of the entire development.

**Senior Housing.** The senior housing portion conveniently located near walking trails with a meandering garden and open park areas will provide a vibrant community where adults transitioning in their housing can thrive, participate, and enjoy the convenience of walking trails and nearby restaurants and retail businesses. The beautiful gardens and meandering walking paths will offer the aging senior population a place they are proud to call home and live within a diversified community sharing amenities with young professionals, empty nesters and families. Active and social-oriented seniors who want to maintain their independence will be especially drawn to what Creekside has to offer and the housing will help fulfill a current and future demand for the City.

**Creekside Community Development.** Creekside will set the highest standard in mixed use development because we understand its importance to the City, our community and our customers. The design avoids urban sprawl by making efficient use of the land that preserves green space, and clusters the development together. The walkable neighborhood, park-like amenities and ample open spaces will have a positive impact on the health and well-being of all Creekside residents.

Creekside Community will provide housing and amenities for families of all stages creating a diversity of residents. The housing will enhance the marketability of the commercial development and breathe life into the community where its residents are out and about in evenings and on weekends. And equally important, the housing options available in Creekside Senior and Residential Apartments will influence families’ economic opportunities, costs of living and how much time they spend in the City of Elkhorn and surrounding community each day. Diversifying housing options will give everyone more choices on where to live, work and spend their leisure activities. Creekside Community Development will be a great addition to the City and a view of the future.



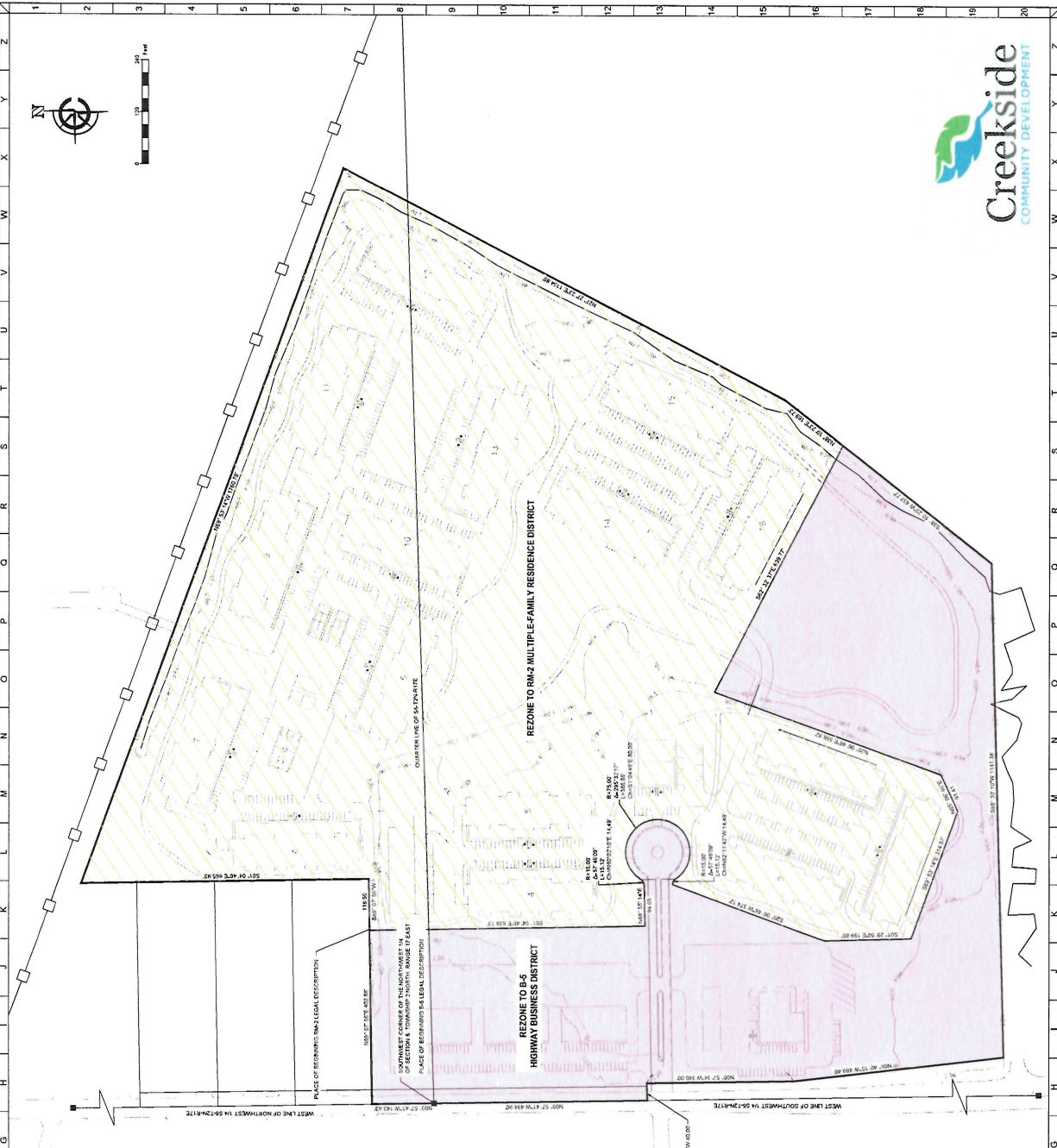
CLIENT

CREEKSIDE COMMUNITY  
CITY OF ELKHORN, WALWORTH COUNTY, WI  
PRELIMINARY  
REZONE EXHIBIT



CARDINAL  
PLAN/SURVEY/ENGINEER  
DESIGNING IN TRUE DIRECTIONS  
1200 S. LA SALLE STREET  
LAKE GENEVA, WISCONSIN 53147  
PH: 262.701.0000  
WWW.CARDINALDESIGN.COM

NO. REVISION DESCRIPTION/REVISED DATE	
SCALE	1" = 300'
PROJECT NUMBER	23035
DATE	09/09/2022
PROJECT NAME	RVA4 CASUALTY LOT
DRAWN BY	DM
DESIGNED BY	RMC
SHEET NUMBER	1 OF 1



**REZONE TO RM-2 MULTIPLE-FAMILY RESIDENCE DISTRICT**  
TOTAL BOUNDARY 2,178,811 SF (48,825 ACRES)  
A PARCEL OF LAND LOCATED IN THE NORTH/HALE OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 17 EAST, CITY OF ELKHORN, WALWORTH COUNTY WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE N89°57'41"W, 143.92' ALONG THE WEST LINE OF SAID NORTHWEST 1/4; THENCE N89°07'55"E, 402.88' TO THE PLACE OF BEGINNING; THENCE S01°04'46"E, 633.13'; THENCE N89°55'14"E, 94.65'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING N89°57'41"W FOR A DISTANCE 14.49', A CURVE LENGTH OF 14.49', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING S01°04'46"E FOR A DISTANCE 80.00', A CURVE LENGTH OF 386.85', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING N62°11'42"W FOR A DISTANCE 14.49', A CURVE LENGTH OF 14.49', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING S89°53'14"E, 114.57'; THENCE N89°06'45"E, 91.41'; THENCE N20°06'48"E, 658.82'; THENCE S82°32'37"E, 639.77'; THENCE N38°10'23"E, 169.73'; THENCE N27°27'23"E, 1154.85'; THENCE N69°53'14"W, 1760.76'; THENCE S01°04'46"E, 665.93'; THENCE S89°07'55"E, 118.59' TO THE POINT OF BEGINNING.

**REZONE TO B-5 HIGHWAY BUSINESS DISTRICT**  
TOTAL BOUNDARY 925,228 SF (21,286 ACRES)  
A PARCEL OF LAND LOCATED IN THE NORTH/HALE OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 17 EAST, CITY OF ELKHORN, WALWORTH COUNTY WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 6, ALSO BEING THE POINT OF BEGINNING; THENCE N00°57'41"W, 143.63' ALONG THE WEST LINE OF SAID NORTHWEST 1/4; THENCE N89°07'55"E, 402.88'; THENCE S01°04'46"E, 633.13'; THENCE N89°55'14"E, 94.65'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING N89°57'41"W FOR A DISTANCE 14.49', A CURVE LENGTH OF 14.49', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING S01°04'46"E FOR A DISTANCE 80.00', A CURVE LENGTH OF 386.85', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING N62°11'42"W FOR A DISTANCE 14.49', A CURVE LENGTH OF 14.49', AND A RADIUS OF 75.00'; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING S89°53'14"E, 114.57'; THENCE N89°06'48"E, 91.41'; THENCE N20°06'48"E, 658.82'; THENCE S82°32'37"E, 639.77'; THENCE N38°10'23"W, 431.77'; THENCE S89°20'10"W, 1141.39'; THENCE N69°49'15"W, 893.48'; THENCE N00°57'41"W, 143.63' TO THE POINT OF BEGINNING.















**Creekside**  
CREEKSIDE COMMUNITY DEVELOPMENT

<b>Bldg Type</b>	<b># of Bldgs</b>	<b>Units/Bldg</b>	<b>Total Units</b>
Senior Housing	3	53	159
Residential Apts	13	53	689
<b>Totals</b>	<b>16</b>	<b>53</b>	<b>848</b>

<b>Senior Housing Unit Types</b>	<b>Senior Housing Per Bldg</b>	<b>Senior Housing Per Project</b>	<b>Senior Housing Percentages</b>
1 Bedrooms	4	12	7.55%
2 Bedrooms	22	66	41.51%
3 Bedrooms	6	18	11.32%
1 Bedroom Lofts	16	48	30.19%
2 Bedroom Lofts	1	3	1.89%
3 Bedroom Lofts	4	12	7.55%
	<b>53</b>	<b>159</b>	<b>100.00%</b>

<b>Residential Apts Unit Types</b>	<b>Residential Apts Per Bldg</b>	<b>Residential Apts Per Project</b>	<b>Residential Apts Percentages</b>
1 Bedrooms	4	52	7.55%
2 Bedrooms	22	286	41.51%
3 Bedrooms	6	78	11.32%
1 Bedroom Lofts	16	208	30.19%
2 Bedroom Lofts	1	13	1.89%
3 Bedroom Lofts	4	52	7.55%
	<b>53</b>	<b>689</b>	<b>100.00%</b>



**TO:** Plan Commission – City of Elkhorn      **FROM:** Department of Building and Zoning  
**PC Meeting: Thursday, November 3, 2022 at 6:00 pm**

**Creekside Community Development  
Comp Plan Amendment and Rezone**

**General Information:**

Applicant(s): Creekside Community Development, Inc.  
Requested Action: Comp Plan Amendment/Rezone

**Site Information:**

Location: NE corner of STH 67 and I-43 north of the DMV center  
Tax Key: YVSE 00016

**Zoning & Land Use:**

Current Zoning: M-1 Light Industrial District  
Proposed Zoning: B-5 Highway Business District and RM-2 Multiple-Family Residence District  
Existing 2040 Land Use Plan: Highway Oriented Commercial and Light Industrial  
Proposed 2040 Land Use Plan: Highway Oriented Commercial and Higher Density Residential

**Project History:**

The applicant is requesting approval of a comprehensive plan amendment and rezoning for a mixed use development including commercial uses along Hwy 67 and multiple family residential behind. The proposed project will require future approval of a Planned Unit Development. Lands to the north and west are zoned M-2 and B-5, to the south are zoned I-1, and to the east is I-43.

**Staff Comments:**

1. According to City Planner Lee Brown's review memo (copy included in your packet), an applicant for a comprehensive plan map amendment must provide documentation illustrating the driving force for the change and showing that the proposed change is in the best interests of the City.
2. When considering a zoning map amendment, the following factors should be taken into consideration:
  - a. Advances the purposes of the City Zoning Ordinance.
  - b. Is in harmony with the recommendations of the Comprehensive Plan.
  - c. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning district(s).
  - d. The amendment may also address any of the following situations that may not be properly addressed on the current Official Zoning Map:
    - (1) The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan and the amendment is being requested to make the zoning district consistent with the Comprehensive Plan.
    - (2) A mapping mistake was made. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Village may intend to stop an undesirable land use pattern from spreading.
    - (3) Factors have changed (such as new data, infrastructure, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
    - (4) Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.



## **MEMORANDUM**

TO: Adam Swann, City Administrator  
FROM: Lee M. Brown, FAICP, President  
Michael Blue, FAICP, Principal  
RE: Initial Review: Proposed Creekside Community  
DATE: September 10, 2022

We have received and reviewed Site Plans, Building Plans, and unit breakdowns for the proposed rezoning, and mixed use Planned Unit Development of the 70 acre (Proctor Farm) development lying east of Lincoln Street, west of I-43, and south of the Wisconsin Southern Railroad rights-of-way. As proposed, the development would result in the establishment of up to 36,000 square feet of retail floor space and a 10,450 sq. ft. gas station/convenience store, all facing Lincoln Street; and, 16 apartment buildings accommodating 848 dwellings, in a mix of one, two and three bedroom apartments; and supporting amenities and parking. The 2020 Census indicates that Elkhorn includes 4062 households; this development, if completed, would increase that number by over 20%. This would therefore contribute to a very significant increase in City population, demand for public services, local traffic volumes, and potentially school age children. No single development (single-family or multi-family) will have had as significant an influence on the balance of housing since the 1980's in Elkhorn.

### **Current Planning and Zoning Designations**

The property is currently zoned M1 Light Manufacturing, and is not consistent with the proposed uses. Split by what would be Deere Road, if extended from the west, the northern portion of the property is designated as Light Industrial and the southern portion is designated Highway Commercial on the City's Future Land Use map within the 2040 Comprehensive Plan. If the City supports the establishment of the requested B-5 and RM-2 rezoning, the City of Elkhorn Comprehensive Plan should be amended to reflect the change of anticipated use of the property.

The basis for the existing "Future Land Use" designation is grounded in the adopted policies which focused on a balance of land uses that make Elkhorn more than a bedroom community. The current Comprehensive Plan and the two prior comprehensive plans anticipated that upon completion of the development of the Elkhorn Business Park, the subject property would accommodate development of additional employment uses. Prior owners of the subject property had sought to have the property designated for residential zoning and development, but the City had resisted.

Any property-owner may request a map amendment and rezoning to accommodate development, but the City must determine that it is compatible with surrounding property use and in the public interest. Adopted comprehensive plans should be amended when there is an error in the basis or logic of the land use designation, or when changes in the community justify a change in public policy or how the policy is imposed on the property. Change can be related to market economics, the ability to provide public services or infrastructure, demographic shifts, changes in community behavior which affects land use

demands, or changes that are driven regionally, nationally, or globally. Short term trends and shifts in consumer demands commonly occur and can be seen as a driving force behind a property-owner's interest in rezoning property from Light Manufacturing to support residential or commercial uses. But the petitioner must work with the City Staff to articulate the change that has occurred and basis for an amendment to the Comprehensive Plan. If "market demand" is a critical element of the change, evidence of a market study and projected absorption rates should be provided by the petitioner.

There are no guarantees that the commercial uses along Lincoln Street are likely to be built or occupied in the foreseeable future. The proximity of the I-43 interchange may support another fueling station, and growth of residential uses on the subject site and elsewhere south of the Central Business District will serve to build demand for retail and services. The petitioner should provide anticipated build-out and evidence of a market demand for these uses.

Given the history of antipathy to at grade crossings by the Wisconsin Central Railroad, we cannot speculate on the likelihood of extending Getzen Street over the railroad rights-of-way to serve as a second access point to the development. A second access is a very good idea. It is, however, a deviation from the extension of the loop road anticipated in the Comprehensive Plan which showed a future connection to East Centralia Street nearest the underpass of I-43. That anticipated crossing, at the far northeast corner of the subject property would have had significant advantages for the property and for the City as a whole under the planned use of the site consistent with its light industrial designation, but may in fact be infeasible given existing development on or adjacent to that route. The loss of the opportunity to extend the loop road should be addressed by the City in its consideration of a request to amend the Comprehensive Plan. The loop road had been, to prior plan commissions and Common Council members, a foundational objective.

### **Site Planning**

The subject property is a relatively level farm field with man-made or modified features which convey storm water on its periphery and through its center. The development plan attempts as little manipulation of these storm water swales and creeks as is necessary. Only two physical improvements are shown to cross these swales...the internal roadway connection between building 4 and 5 leading to building 6, and the potential roadway connection to Getzen Street. As a result, the vehicular circulation through the site is entirely through the middle of a series of external parking lots. It is a ¾ mile drive through parking lots to Building 16, and more than a mile walk from Building 16 on the proposed walking trail to the "centrally located" pool and club house.

We do not consider this issue of the circulation pattern to be simply a stylistic decision. 848 dwellings will generate hundreds of peak hour vehicular movements through these circulation drives, including hundreds of residents attempting to back out of their parking space into this same circulation drive where their fellow residents are moving to the exits. These points of conflict will be aggravated by the lack of sidewalks interconnect the buildings...where residents will be walking in the circulation drives to access their vehicles. Installing a bridge over the swale/creek that bifurcates the site, creating a looped road instead of a very long dead end would improve safety, convenience, and diminish the longest drives through the parking lots. At the very minimum, a traffic impact study must be prepared by a qualified traffic engineer addressing: The safety and capacity of the internal circulation, with and without the extension of Getzen Street.

Eight of 16 proposed residential buildings would have half of their dwellings face and directly abut Interstate 43, the Wisconsin Southern Railroad, or the adjoining property used for industrial or commercial uses. Some of these adjacencies will require significant buffering to diminish the impact of noise, or light or vibration or simply unattractive views. The circulation pattern and the orientation of the buildings to face outdoor surface parking lots essentially uses the buildings to act as a buffer to the parking lots instead of using the parking lots to act as a buffer to the buildings. The result is a series of parking courts surrounded by buildings, where a more attractive arrangement would cluster the buildings around a usable open courtyard with the parking on the periphery. Views can be buffered; and the whine of tires on the interstate require exceptional (and costly) windows and building insulation to mitigate...particularly in a multi-story apartment building that will rise above the grade of the interstate. Unlike the circulation issues, this is a question of style and community character, but deserve to be addressed by the petitioner to show that they have similar layouts that created attractive living environments.

The central open space and the usable trails and activity courts are positive features. The utility and attractiveness of the semi-private spaces around the dwellings (for at grade patio, etc.) will require effective landscaping that the City will need to evaluate in more detail at the time of the Final PUD.

The site plan details related to the two commercial outlots stipulate that they are "...shown for feasibility only". We will simply suggest that impervious surfaces should be minimized and significant screening/buffering of the "back of house" activities of these commercial buildings will be necessary to diminish the impact to the adjacent residential buildings. Sidewalks do not currently exist along this section of Lincoln Street, but the proposed walking trail or sidewalks should be extended out along the grand boulevard entrance to a sidewalk on Lincoln Street, allowing pedestrian access to the future commercial uses.

The documents we received for review anticipate 3 buildings out of the 16 total proposed as senior housing. The actual buildings are not designated on the site plan, but we guess they may be building 1, 4 and 5 since these are shown with a reduce number of outside parking spaces. There are no distinctions shown in the dwelling unit sizes, arrangement, layout or amenities distinguishing the senior housing from the non-restricted units and buildings. Why, then, designate a difference? More information regarding the type of senior housing, support services, and design distinctions to address senior needs (and demand for parking, etc.)