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Department of Community Development
Taped and Televised

**PLANNING COMMISSION
Regular Meeting
Monday, February 19, 2024
6:00 PM
Christine Nuernberg Hall**

Minutes

1) Call to Order, Roll Call

Present:

Chair Andrew Nerbun
Alderman Brian Parrish
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Rebecca Schaefer – **arrived 6:03 p.m.**
Commissioner John Stoker
Commissioner Nancy Urbani - **Absent**
Commissioner Dan Gentges - **Absent**
Commissioner Stephanie Hawley - **Absent**

Mayor Nerbun called the meeting to order at 6:00 p.m.

a) Approval of meeting minutes from January 22, 2024.

Action

Commissioner Stoker made a motion to approve the meeting minutes from January 22, 2024.
Commissioner Choren seconded the motion.

A voice vote was taken; vote passed (5-0)

RESULT:	APPROVED [4 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Nerbun, Barnes, Choren, Stoker
ABSENT:	Urbani, Gentges, Hawley, Schaefer

2) Regular Business

- a) Tracy & Michael LaLonde. The applicant is seeking building and site plan amendment approval to allow for a renovation for office use for the property located at 6714 W. Mequon Road.

Planner Evan Hoier stated that this request is for a building and site plan amendment approval for converting a former woodworking shop into individual office spaces to be rented out. It is located on a B-3 limited site (office and service district) on a 0.83-acre lot size, which is less than the minimum lot size required for that district; it also does not meet parking lot setback or offsets for the site required as per the code.

This was originally submitted as a building permit, but upon review it was noted that the proposed plan did not meet the code requirements and an expansion of the parking lot by 4 feet to the south is required as well as the driveway needs to be expanded from 18 feet to 22 feet to allow for a 2-lane drive aisle.

City Attorney Woodward informed staff that there is an on-going dispute between the applicant, the owner of this parcel, and the adjacent homeowners association regarding trespassing and unauthorized removal of trees from the HOA's property. As a condition of this approval, final occupancy will not be granted until this matter is resolved.

There is also concern from neighbors about the previous actions of the applicant and how the future of the site will be affected from past actions. There is concern about potential noise and light pollution from increased activity at the site. Staff has created a suggested landscape plan to help mitigate the neighbors' concerns which includes some trees along the north lot line, a 6-foot privacy fence along the east side, low growth areas to the south and north of the parking lot, and a couple of hearty street trees along the driveway. The applicant will also need to meet the landscaping standards for parking lots which include requirements of 10% of the interior must be landscaped and 30% shading in the summer within 10 years. A final landscaping plan is required to be submitted for review and approval. Another concern from the neighbors and a condition of approval is that there shall not be access to River Birch Drive.

Public Feedback

Lora Reinholz – 11264 N. River Drive – is the president of the River Birch Homeowners Association. She is opposed and raised questions about the final plans and the use of the site; questioning if the building and site will be ADA compliant. She discussed the suggested landscaping plan and stated that she would like the fence to be extended to Mequon Road. She commented that she prefers that a company other than the property owner's company do the restoration work. She related that Mr. Mike LaLonde has been difficult to work with and has not responded to previous communication sent. She asked that no permits be granted until final restitution is completed.

Alan Neva – 6871 W. River Birch Drive – is opposed and stated that there has not been a neighborly process and he is strongly opposed to an access to River Birch Drive as he feels it will not be safe for children riding bikes. He emphasized the request for landscape coverage on the west side of the property as screening for the exposure that was created from the tree

removal.

Steve Schaefer – 6944 W. River Birch Drive – is opposed and is very upset about the clearing of the trees and landscaping that took place. He strongly encourages the suggested landscaping requirements be followed to provide shielding the structures on the applicant's site.

Jeff Schouthern – 6942 W. River Birch Drive – is opposed and he does not believe it should be zoned for commercial use as he does not feel that it is appropriate zoning. He concurs with the other neighbors that the west side of the property needs shielding, there should not be a driveway connection to River Birch Drive and recommends the Commission deny the request until more answers are provided by the applicant.

The applicant, Mike LaLonde, stated that the existing building formerly was a woodworking shop and is now underutilized and will be repurposed as rental office spaces. He said that as of right now he is uncertain as what the end game plan is regarding the use of this property for the future, but stated there will be additional development there at some point.

It was clarified that the applicant's home address is W49 N636 Cedar Reserve Circle, Cedarburg, WI.

There was discussion amongst the Commission and feedback including the following:

- Hours of operations (no limit on hours in B-3).
- Suggestion that the fence also be extended to the north property line (as well as south to Mequon Road).
- Support for as much landscape shielding as possible, due to neighbor concerns.
- Question about why the parcel was cleared of the trees (the applicant did not answer due to the on-going litigation).
- Required parking spaces based off the square footage of the building (10 spaces required plus 1 ADA space with striping).
- The trees cut down were deemed not to have been specimen trees.
- Connection/access point to River Birch Drive to be severed and restricted to serving the house to the north side of the property (applicant strongly objects to this condition and does not agree to this condition).

Action

Commissioner Barnes made a motion to approve per staff recommendations with an amendment to condition #5 that if the connection to the north property extends a driveway onto River Birch Drive, the driveway connection to 6714 must be severed.

Commissioner Choren made a friendly amendment to extend the fence on the east side of the parcel to extend to the north property line as far as allowed and that if a patio is installed a privacy fence must also be installed.

Commissioner Barnes accepted the friendly amendments.

Commissioner Stoker made a friendly amendment to the friendly amendment that any addition to the site requires Commission approval.

Ald. Parrish stated that he does not agree with the current zoning of this property, and he will not support any multi-family proposals in the future.

Commissioner Stoker seconded the motion and the friendly amendment.

A roll call vote was taken; vote passed (6-0)

RESULT:	APPROVED WITH CONDITIONS [6 TO 0]
MOVER:	Bruce Barnes, John Stoker
AYES:	Nerbun, Barnes, Choren, Schaefer, Stoker, Parrish
ABSENT:	Urbani, Gentges, Hawley

3) Policy

1) Design Guidelines for Commercial Structures

Asst. Dir. Zader stated that this is part of the efforts to make improvements along Port Washington Road, which includes streetscaping, a market analysis and this phase addresses design guidelines. It was determined that because there are already design guidelines for Town Center, Ulao Creek and the rural business area; that it makes more sense to update the guidelines for the entire city, excluding the areas that already have their own specific guideline standards, than treat this as another distinguished area. Staff is seeking feedback from the Commission on whether they believe this is the appropriate path to take.

Secondly, there is not a lot of language in the guidelines addressing industrial or multi-family uses. Staff is seeking feedback from the Commission whether there should be specific guidelines for these two uses or whether these should be addressed on a case-by-case basis, as it is currently being handled.

He commented that almost any future multi-family proposed would most likely be a PUD, and there is a lot of oversight under that zoning.

He added that most of the industrial issues have been regarding metal paneling requested by developers and staff believes some standard language is probably sufficient, as much of the design is handled through the building and site plan approval review process. Mayor Nerbun concurred with this thought process.

Asst. Dir. Zader stated that both the current and the proposed standard guidelines are included in the packet, along with some questions for the Commission.

Guideline topics being considered include:

- Primary and secondary materials.
- Specific types of roofing materials.
- Corner lots (new language).

- Massing requirements.
- Buildings related to the context of the neighboring buildings.
- Drive-throughs.

He reiterated the update is in a preliminary stage and he encourages feedback from the Commission.

Ald. Parrish stated that many of these topics are important to be reviewed and included in the standard guidelines going forward.

There was some discussion and suggestions made to staff. Mayor Nerbun asked staff to reach out for feedback from Commissioners not present.

Asst. Dir. Zader stated that there will be a few rounds of iterations. Staff will provide visuals of existing buildings in the city for the Commission to review and provide feedback.

4) Announcements

The next meeting is Monday, March 18, 2024, at 6:00 p.m.

The April meeting will be changed to Monday, April 29th at 6:00 p.m.

5) Adjourn

Action

Commissioner Choren made a motion to adjourn the meeting.

Commissioner Stoker seconded the motion.

A voice vote was taken; vote passed (6-0)

The meeting concluded at 7:30 p.m.

Respectfully Submitted,

Jac Zader