City of Mequon

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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, April 10, 2017
7:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Chairman Dan Abendroth
Alderman Robert Strzelczyk
Commissioner Martin Choren
Commissioner Brian Parrish
Commissioner James Schaefer
Commissioner Rick Lemke
Commissioner Stephanie Hawley

a) Minutes from March 13, 2017

Action
Ald. Strzelczyk made a motion to approve the March 13, 2017 minutes as written. Commissioner Choren seconded the motion.
All voted aye; motion passed (7-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Martin Choren, Commissioner
AYES:	Abendroth, Strzelczyk, Choren, Parrish, Schaefer, Lemke, Hawley
EXCUSED:	Mason, Stoker, Schaefer

2) Regular Business

a) Simon & Bianca Meester. The applicant is seeking approval for an accessory structure greater than 1,000 s.q. ft. for a horse barn for the property located at 5980 W. Chapel Hill Road.

Asst. Dir. Zader stated that usually this item would have been listed on consent but there was some feedback from the neighbors, so it is listed under regular business so that it is open for discussion if necessary. The request is for a structure in excess of 1,000 square feet. It is a

1,152 square feet horse barn on 3 acres located at 5980 W. Chapel Hill Road. The code does allow for them to have an agricultural building for the storage of horses. Under the code they are allowed two horses. Some of the concerns received from the neighbors were related to the architecture of the building. Typically, accessory buildings go in front of the Architectural Board for review and approval and natural materials or materials that match the house are recommended. The neighbors felt that the building should be more in keeping with residential guidelines than agricultural and they do not like the metal building.

The applicant had previous plans to be out of town and is not present at the meeting. Staff does recommend approval of the horse barn as it is similar to other horse barns that have been approved.

Commissioner Choren asked about any landscape plans associated with the proposed building plan. He stated that if the neighbors have complaints about the structure that some landscaping may help obstruct the view.

Asst. Dir. Zader answered that landscaping plans are not required with these types of items. He showed the site plan which shows the building in the middle of the property. Under the code, in order to have livestock on the property, there needs to be a 100 foot setback from the property line. The applicant did go before the Board of Appeals and they received a variance to drop the setback to 96 feet. There is 96 feet on both sides, which is a fairly large setback from the neighboring properties. In addition, on the west side of the drive there is a 60 foot right of way, so there is a large buffer between properties to the east and the west. To the north is vacant property and there is a 250 foot distance between property lines. He stated that there is not a lot of direct view, but if the Commission wants to require some landscaping that is permissible.

Commissioner Jim Schaefer stated that he feels that the horse barn is acceptable and that he cannot see natural materials used for this building.

<u>Action:</u>
Commissioner Jim Schaefer made a motion to approve subject to staff comments.
Commissioner Parrish seconded the motion.

Ald. Strzelcyzk stated that he likes the look of the building and he feels that it fits in but there are two variances on this project; one is the setback and one is the size of the structure, so he asked that the Commission accept a friendly amendment to request landscaping to help buffer the structure that would be approved at staff level. He suggested some pines along the property line to help screen it from the neighboring views.

The friendly amendment was accepted by both Commissioner Jim Schaefer and Commissioner Parrish.
All voted aye; voted passed (7-0)

RESULT:	**APPROVED WITH CONDITIONS [6 TO 0]**
MOVER:	J. Schaefer, Commissioner
SECONDER:	Brian Parrish, Commissioner
AYES:	Abendroth, Choren, Parrish, Stoker, Schaefer, Hawley
EXCUSED:	Mason, Schaefer
RECUSED:	Strzelczyk, Lemke

b) Highlander Estates, Phase III. The applicant is seeking development agreement and fill permit for Phase III (Addition 2) consisting of 45 lots of the 111 lot single family subdivision, Highlander Estates, located immediately south of Brighton Ridge and Knightsbridge subdivisions between Swan and Wauwatosa Roads,

Asst. Dir. Zader stated that this is for the last phase for the Highlander Estates subdivision. They anticipate starting grading as soon as they can in May. This is back to the standard Development Agreement, similar to Phase I, in which all of the improvements need to be in at the time of final plat. They are allowed two spec homes which is typical with development agreements. Staff does recommend approval.

The applicant, Kevin Anderson, stated that due to the Common Council meeting being cancelled the following evening, he asked that this item be included on the May 18, 2017 Common Council agenda.

Mayor Abendroth answered that his request will be considered and staff will do what they can do to get this item on the agenda.

He also asked about significant landscape screening between lots 95 and 96 due to the bend in the road to alleviate highlights into homes.

Asst. Dir. Zader answered that the applicant was not yet ready to submit the landscaping plan but that it will come before the Planning Commission for review and approval. He believes that there will be neighbors interested in the landscaping plan as well.

Action

Mayor Abendroth moved to approval subject to staff comments.

Ald. Strzcelczyk seconded the motion.

All vote aye; vote passed (7-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Dan Abendroth, Chairman
SECONDER:	Robert Strzelczyk, Alderman
AYES:	Abendroth, Strzelczyk, Choren, Parrish, Schaefer, Lemke, Hawley
EXCUSED:	Mason, Stoker, Schaefer

c) MSI General for Riteway Bus, LLC. The applicant is seeking site plan amendment approval to remove the bypass lanes on the south side of Donges Bay Road for the property located at 6926 W. Donges Bay Road.

Engineering Director Lundeen stated that this item was before the Commission in February and the requirement was made for the applicant to install both the acceleration and deceleration lanes, which go on the north side of the road along the side of the driveway as well as the bypass lanes on the south side. The intent was to be able to provide for through traffic during the times of turning movements given the concentrated times the buses leave the parking lot, staff was concerned about the impact on the traffic for Donges Bay Road. Since the last meeting, the applicant has volunteered a restriction for the buses traveling eastbound that they cannot turn left into the parking lot. They would otherwise reroute so that they turn right directly into the parking lot using the accel/decel lanes and thereby eliminating the need for a bypass lane. They applicant is here before the Commission to request an amendment to eliminate that requirement.

Mayor Abendroth asked how many buses go east on Donges Bay Road.

Ald. Strzelczyk asked how the bike lanes would be affected.

Dir. Lundeen answered that there are currently not bike lanes in this location. If the reconstruction goes forward, this area would be included.

The applicant stated that the majority of the buses return to the parking lot from the east and the north. There are very few that would come from the west. They would install a “No Left Turn for Buses” sign and the buses would know that they could not enter from the west. He stated that the buses would mostly likely come through the business park so that they will enter from the east.

Commissioner Parrish stated that he was originally in favor of the deceleration lane but after reviewing the traffic study provided by the applicant he feels comfortable that there will not be a negative impact there. He asked if the buses are actually not allowed to turn left and if this is part of the CUG.

Dir. Lundeen confirmed that there are not to be any left turns made by the buses into the parking lot, all buses must enter westbound. The buses can exit the terminal either direction.

Mayor Abendroth stated that this location has less impact on traffic than the current location

Action
Ald. Strzelczyk made a motion to approve subject to staff recommendations.
Commissioner Lemke seconded the motion.
All voted aye; vote passed (7-0)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Rick Lemke, Commissioner
AYES:	Abendroth, Strzelczyk, Choren, Parrish, Lemke, Hawley
EXCUSED:	Mason, Stoker, Schaefer
RECUSED:	Schaefer

d) Vogel Real Estate, LLC for Gateway Plastics. The applicant is seeking building and site plan amendment approval for a 70,000 s.q. ft addition at 5650 W. County Line Road (Gateway Plastics).

Asst. Dir. Zader stated that the applicant was in front of the Commission last month for a certified survey map to ensure that parent parcel had enough acreage to comply with the floor area ratio and green space ratio. It is a 70,000 square foot addition but it is two separate sections; both roughly 35,000 square feet. There is one to the north and one to the south. The only other change shown is an access road off of County Line Road which terminates in a cul du sac. This is mainly for maintenance of equipment that is located on the west side of the building as well as if the area to the west gets developed at some point. The two additions comply with the code. There is a 60 foot setback from the building to the property line; which exceeds the setback requirement. The parking lot is not being changed as there are minimal employees that will be added due to the additions. There is also the addition of a cooling tower.

The building design is shown to be the same precast panels and aluminum windows that match the existing building. The applicant intends on using some of the existing panels that will come off for the addition. The rooftop mechanical equipment will be required to be screened if it is visible from public view.

The landscaping plan shows trees and landscaping along the west property line and proposed access road. There were a number of trees planted at the last addition that they will relocate and replant a little further to the west.

Staff feels that there is a potential view of the cooling tower from County Line Road or from Baehr Road and that additional screening around the cooling tower would help. It is well screened from the north and the south but there is a view from Baehr Road. Staff is recommending additional plantings to help better screen along the south side of the north addition.

The lighting plan shows additional lighting along the west side of the building, mostly for security purposes. Staff recommends that the number of wall packs be reduced from thirteen to nine. Asst. Dir. Zader stated that the applicant has already complied with this request and it was changed on an updated plan. The applicant will need to show documentation that the fixtures are full cutoff per the code. There were some complaints from residents on Baehr Road that the security lights were a little bit excessive and they have reduced the amount of security lighting on that wall by five fixtures.

Staff has received correspondence from Alderman Wirth regarding traffic concerns; mainly semi traffic in that area. Staff feels that most of that traffic is from Kleen Test and not from Gateway. There will be very little impact on traffic with the additions to the buildings; as they will be used mostly for warehousing and to fit smaller sized equipment. He also stated that with the addition of the railroad spur, the number of truck trips to Gateway has been reduced.

Action
Commissioner Parrish moved to approve based on staff recommendations.
Commissioner Choren seconded the motion.
All voted aye; vote passed (7-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian Parrish, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Abendroth, Strzelczyk, Choren, Parrish, Schaefer, Lemke, Hawley
EXCUSED:	Mason, Stoker, Schaefer

e) Marvin C. Bynum for Rick O'Malley Revocable Trust. The applicant is seeking site plan approval for the Trees for Less nursery and landscape contractor business at 11710 N. Wasaukee Road. The applicant is also requesting certified survey map approval along with 11550 N. Wasaukee Road and 30 acres immediately to the north.

Asst. Dir. Zader stated that the applicant would like to speak first.

The applicant, Richard O'Malley, stated that he wishes to withdraw his application for the conditional use grant and the land division. He stated that he has thought long and hard about this decision. The family has decided to go back to the business of growing trees which they have been doing for years.

Asst. Dir. Zader stated that the applicant does have mulch that he wishes to sell and he is allowed to sell it until it is gone. Staff will work with the applicant over the next month. There are some site compliance issues that will need to be addressed. Then the permitted use of the nursery operations can be continued. The sale of Christmas trees will be handled as a temporary use on a yearly basis.

3) Announcements

Mayor Abendroth announced that the next meeting is May 8th

4) Adjourn

Action
Ald. Strzelczyk made a motion to adjourn.
Mayor Abendroth seconded the motion.
All voted aye; vote passed (7-0)