City of Mequon

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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, June 12, 2017
7:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Chairman Dan Abendroth
Commissioner Brian Parrish
Alternate John Stoker
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Alderman John Wirth
Commissioner Rick Lemke
Alternate Stephanie Hawley

a) Meeting Minutes

1) PLANNING COMMISSION MEETING MINUTES from May 8, 2017

Ald. Wirth made a correction to page 8, to add the word *not;* it should read: Ald. Wirth agrees with Commissioner Lemke and he feels that (a) is not needed at all.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Alternate
SECONDER:	Rick Lemke, Commissioner
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

2) Consent / Public Hearing

a) Mommy & Me Childcare. The applicant is seeking conditional use grant approval to operate a childcare center for the property located at 10510 N. Port Washington Road.

Action:
Commissioner Stoker made a motion to go into public hearing.

Commissioner Lemke seconded the motion.
All voted aye, vote passed (8-0)

Action:
Commissioner Stoker made a motion to close the public hearing.
Commissioner Becky Schaefer seconded the motion.
All voted aye, vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
AYES:	Abendroth, Parrish, Stoker, Schaefer, Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

3) Consent/Regular Business

a) Dennis Stern. The applicant is seeking certified survey map approval for the property located at 11627 W. Highland Road.

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

b) Veridian Homes - Enclave at Mequon Preserve - Phase II. The applicant is seeking final plat approval for Phase II (16 lots) for a 50 lot single family subdivision located at 10729-10839 N. Wauwatosa Road.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer,Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

c) Veridian Homes - Enclave at Mequon Preserve - Phase III. The applicant is seeking fill permit and development agreement approval for Phase III (17 lots) for a 50 lot single family subdivision located at 10729 - 10839 N. Wauwatosa Road

All consent times were approved

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

4) Regular Business

a) Spirit Lake International, LLC. The applicant is seeking grading plan and certified survey map approval for a 3 lot land division on 8 acres for the property located at 9807 B. Cedarburg Road.

Ald. Wirth recused himself from this item and the next one.

Asst. Dir. Zader stated that this is a request for a 3 lot certified survey map. A year ago on June 13, 2016, the applicant had requested a four lot certified survey map. It was approved at that time with a condition that the applicant return for grading plan approval. He is submitting an updated grading plan now and has reduced the request from a 4 lot to a 3 lot land division. There is a large lot in the back that would be allowed for a subdivision in the future. Engineering Director, Kristen Lundeen, is available to answer any questions regarding the grading. Staff does approve the according to the conditions in the report.

Robert Hurda, 4528 W. Hiawatha Drive asked how high the lots will be in comparison to his home and his neighbors. He stated that 10-12 years ago there was dirt dumped there illegally and not much has been done with it since then. He supplied a handout and stated that there is standing water in front of his house.

Mike Pritchard, 4700 W. Hiawatha Drive stated that the dirt that was dumped is behind his home and there is a 10 feet elevation difference. He requests that the dirt be spread out among the 7 acres. He asked why there is 3 homes on 2 acre lots and if it is due to the drainage issues. He also requests that the applicant consider a beautification program along the Hiawatha property line, he stated that it is currently a mess. He is neither for or against the project he simply requests that the drainage issue be addressed and the mound of dirt be spread out.

Eng. Dir. Lundeen stated that the general extent of the grading is for the proposed 3 lots, there is not further grading to the west. The elevations of the homes as shown have been provided to provide proper drainage internal to the site with it generally draining to the south and then to the east along Cedarburg Road. She stated that the Planning Commission could make further grading requirements if desired as part of the approval. She explained that it is a very flat area and will be similar in grade to those along Willow and Hiawatha.

Commissioner Parrish asked about the staff report statements that a 4 lot plan requires a storm water management plan and if a pond were put into place now would that address some of the drainage issues.

Commissioner Becky Schaefer asked if there is flooding on this parcel.

Asst. Dir. Zader stated that there are depressions on the property that are lower than the flood plain but that this parcel is outside the actual flood plain. The whole area is relatively flat with very little pitch. Most of the flooding is back up from the river that comes through Trinity Creek.

Eng. Dir. Lundeen stated that if a storm water management plan was required that it would not necessarily require any improvements. It could show that with the existing grading and swell that goes along the south property line that the applicant would not be required to install any additional measures; like a pond or any retention on the site. She explained that to re-ditch along Cedarburg Road would require the applicant to work through the state.

Eng. Dir. Lundeen explained that the homes are proposed to be at an elevation of 658. She stated that is in keeping with the homes on Willow and the constraints of having to provide internal drainage to the site. There will be a new constraint to the site with the addition of the driveway along the north.

The applicant, Fred Bersch, stated that they cleaned up a significant amount of buckthorn last year and they have waited to do any mechanical grading work along the ditch line. They have removed the debris and exposed the gravel lining and they were able to get the flow better. Mr. Bersch commented that through this process the remainder will be cleaned up and made more attractive.

There was discussion about the south property line and that the applicant will clean it up and also wants to add a drainage easement there. It was stated that the individual homeowners will be responsible for landscaping their lots.

There was also discussion regarding the fill which is located in the center of the property and it is not significantly higher. The debris will be removed and it will be seeded and mulched as necessary. City staff did visit the site and confirm that it does not impede the drainage on the south side of the property.

Mr. Bersch stated that the reason for dropping the 4th lot is due to the lot being undesirable as it is located on Cedarburg Road. Lot 3 will be developed as a 6 acre parcel.

Mayor Abendroth asked if the work the applicant is planning to do on the site will be an improvement and asked for confirmation that it will not negatively impact the surrounding properties. He stated that someone new to the neighborhood usually improves the drainage to the area.

Eng. Dir. Lundeen confirmed that it will be an improvement for this site and should not negatively impact the surrounding properties.

Paul Schmacher, 4808 W. Hiawatha Road stated the issue is the ditch on the property line. It gets clogged up often and drains out to Cedarburg Road. He wants the ditch to be dug deeper and is wondering whose responsibility it is to clean out the ditch.

Mr. Bersch answered that the ditch is on his property and that it runs from the storm water pond to Cedarburg Road in the southeast corner. It has been neglected but he does have plans to clean it out. They cleaned a dumpster worth of debris out last year and they will do so again this year. He stated that there is nowhere that the ditch drains out onto another property. They have been waiting for the CSM approval so that they can work on it. They plan to expand the channel and to utilize the grade there. He believes this project brings improvements to the neighborhood and they are making the best of the flat property as possible.

Eng. Dir. Lundeen stated there is a drainage easement proposed which will give the city the permission to clean it out and to charge the residents.

Mr. Bersch stated there are some stump removals they want to do and they will then restore the grade and the turf there. They want it to be as natural as it can be. There will not be a homeowners associated with these lots. If there is a need for storm water management, the burden of that will be with Lot 3.

Action
Commissioner Stoker made a motion to approve according to the conditions in the staff report.
Commissioner Lemke seconded the motion.
All voted aye, vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	John Stoker, Alternate
SECONDER:	Rick Lemke, Commissioner
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Lemke, Hawley
EXCUSED:	Choren, Mason
RECUSED:	Wirth

b) The Hoff Group, Inc. The applicant is seeking consultation for a proposed residential side-by-side condominium project that offers three buildings with attached garages totaling 6 units which would be located at 10950 N. Cedarburg Road.

Asst. Dir. Zader stated this is a consultation for a project that will be located directly behind the Riverwalk Highlands apartment building on Cedarburg Road. The area is currently zoned B-3. There are two existing office buildings. One that was built in the late 90's will remain. The other one that is located where the 6 units will go is vacant and is in poor condition and it will be razed as part of this process. The concept plan shows a line being created between the property to the south which would remain B-3 and the property to the north will be rezoned to R-6.

The plan shows the proposed buildings close to the property line and they do not comply with the 20 foot side yard setback. The issue is how to meet the technical standards while still ensuring a viable project for the developer. The floodway was redesigned about a year ago and it has reduced the amount of floodway on this property. This is important as floodway cannot be filled in and must retain the floodway district as is.

The applicant completed a recent project of the Elm Street condos in Thiensville. Staff is confident that the developer will provide a high end project. The developer values the improvements at $2.7M, which would be a nice development for the city. It is just a matter of being able to meet the technical standards. The applicant is looking for feedback from the Commission before moving forward, there is not action to be taken this evening.

The applicant, David Hoff, answered that there have been multiple iterations of the site plans to this project because it is a very tight site with many improvements needed, 6 units are necessary in order for it to be viable.

Mr. Hoff explained that this is an isolated site and they have had a difficult time finding a tenant for the office building there and it has been vacant. The other building is completely dilapidated and has no power to the building. They would like to remove this building. He included photos from this spot that show a completely isolated site that is not visible from the roadway or any neighboring sites. There are many mature trees that provide a great buffer. He stated that although it has not proven to be an ideal site for offices, it is ideal for residential living. They feel this is a great land use as the surrounding properties are mostly single family homes with lots of woods in the area. He would like direction on how to get this project done from a zoning perspective.

Asst. Dir. Zader stated that an option would be to lower the PUD level from the current 10 acre to a lower number. Another option is to have a mixed use PUD. These options need to be evaluated to determine if they make sense from a zoning and planning perspective. Reducing the setbacks from neighboring properties becomes concerning as other R-6 properties in the future may be impacted.

The Planning Commission is supportive of the product and project.

c) Concordia University of Wisconsin. The applicant is seeking building/site plan approval for a new 6,000 square foot pole building that will allow for baseball and softball teams to practice pitching and batting year round at Concordia University located at 12800 N. Lake Shore Drive.

Asst. Dir. Zader showed a picture of where the building would be located on Concordia University's campus. It will be located just south of the soccer field near Kapco Field. The proposed 6,000 s.q. ft. building would be used as a year-round baseball and softball training facility. It would be a metal standing seam building, bluish in color similar to Kapco Field. There are two overhead doors on the north elevation and an overhead door on the west elevation. The applicant explained that the overhead doors will be used for air flow as there will not be air conditioning and also as access for potential emergency vehicles.

Staff has had several conversations with the applicant regarding the architecture. All past approvals on campus have had impressive architecture and this building is lacking in design and is not in keeping with the other buildings on campus. Staff understands that this is a working athletic facility but has concerns primarily related to the south and east elevations as this building would be located in such a predominate place on campus. Staff discussed the possibility of adding some detail features to the building or some landscaping to help screen the building a bit. Staff and the applicant were not able to come up with a plan before the meeting but the applicant would like feedback from the Commission on what they would accept regarding building design. Staff did recommend tabling the item.

The applicant, Peter Welsh from Concordia University, stated they appreciate working with staff and that they were far enough along in the process that they wished to move forward. He explained that this is a simple building which will provide a great amount of utility on campus. He acknowledges that it will be prominent when approaching Kapco Field; but it will not be visible from any public street.

Rob Barnhill, Director of Athletics at the Concordia University, stated that the athletic program has grown and there is a need for additional training and recreational facilities. This would benefit all the students not only the school athletes. The proposed project addresses many of their needs and works within their financial capabilities at this time.

Asst. Dir. Zader stated that the building lacks fenestration on both elevations. Staff had suggested that the Chinooks or Concordia University logo could be added on the east elevation to make it more visually appealing. He also commented that there is amble room between this building and the walkway along the parking area where landscaping could help as a buffer.

Mr. Welsh answered that an opposition to changes to the aesthetics is due to financial constrictions only.

Mayor Abendroth stated that he agreed that some shrubbery could be added to the building so that it is not so plain and would not be a great expense.

Mr. Barnhill answered that there is willingness and some capacity within their financing.

Mr. Welsh stated that some reasonable landscaping and shrubbery along the south elevation could be done.

Commissioner Jim Schaefer stated he was less than enthused when he saw the design. He stated the other buildings on site have great architecture and materials. He feels that a different design is needed.

Ald. Wirth stated that it is not a public building or seen from a public road; it is solely utilitarian inside the university campus. He commented that while it is not a great looking building it looks like it goes with Kapco Field and it is relatively small compared to the surrounding buildings. He does not feel this is a public issue. There is not effect on

neighbors, the public sector or the quality of commercial areas. He will vote to move to approve it and not to table it.

Commissioner Stoker agreed with Ald. Wirth with the stipulation that there are public events held at this location. He would vote to approve this with some landscaping to break up the massing. He feels there is some pride in the city and Kapco Field and wants it to be pleasing to the eye but he feels it does not need to be redesigned.

Commissioner Lemke asked about signage on the building.

Mr. Barnhill answered that it would be named Catalyst Construction Center, as they have been the donor to support this project. They would also promote Freddy the Falcon and the Concordia University logo.

Mr. Welsh stated that it is reasonable and within their budget to do some type of embellishment on the southern façade as well as reasonable landscaping in order to break up the plain blue wall on the southern face.

There was conversation that some signage that explains that the building is an athletic training facility would help the issue of the building being more basic in design. There are constraints regarding the signage that will need to be discussed depending on the size of the proposed signs. Lighting will be addressed at the building and site plan approval phase.

Action
Ald. Wirth moved to approve the proposed building; with some modest landscaping, to be approved by staff, signage either approved by staff or brought back to Planning Commission if it exceeds the 2% requirement and subject to approval of storm water calculations certified by professional engineer indicating that the existing pond has sufficient excess capacity to accommodate the increase in impervious surface,
Commissioner Stoker seconded the motion.
Voice voted called; vote passed 7-1 (No: Jim Schaefer)

RESULT:	**APPROVED [7 TO 1]**
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Becky Schaefer, Wirth, Lemke, Hawley
NAYS:	Jim Schaefer
EXCUSED:	Choren, Mason

5) Announcements

There is no August meeting
The next meeting is September 11, 2017.

6) Adjourn

Action

Ald. Wirth made a motion to adjourn.
Commissioner Lemke seconded the motion.
A voice vote was called; vote was passed 8-0

Respectfully Submitted,

Jac Zader