11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2904
Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, October 21, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Alderman Robert Strzelczyk
Alderman Brian Parrish
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Stephanie Hawley
Commissioner Rebecca Schaefer
Commissioner Nancy Urbani
Commissioner John Stoker - **Absent**

Acting Chairman Ald. Strzelczyk called the meeting to order at 6:00 p.m

a) Approval of Minutes from 9.23.24

Action
Commissioner Choren made a motion to approve the September 23, 2024, meeting minutes. Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED BY VOICE ACCLAMATION [7 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

2) **Public Hearing**

   a) Pinnacle Engineering Group, LLC for Kiddie Academy. The applicant is seeking conditional use grant, building and site plan and minor request for sign waiver approval to allow for a new 12,000 SF building for a childcare facility for the parcel located at 10921 N. Port Washington Road.

Action
Commissioner Hawley made a motion to open a public hearing.
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

Public Feedback

Mark Haslam-10900 N. Port Washington Road - is the owner of The Feedbag located across the street from the proposed development. He expressed concerns about the traffic and potential accidents at this location due to ongoing new developments on the west side of Port Washington Road along with the traffic from the Pavilions. He suggested an optional access point south of the proposed development to divert traffic behind Landmark Credit, north of Jilly's Carwash because this entrance is across from Stein Gardens that has multiple entrances and less traffic.

Action
Commissioner Hawley made a motion to close the public hearing.
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

Assistant Director Jac Zader stated that Kiddie Academy daycare will be placed in the back of the parcel on the north side and according to the concept plan that parcel will be split in two and the parcel to the south will remain vacant. He explained there are three multiple access points available to this site. He reminded the Commission that Port Washington Road is a county highway, and the city does not have jurisdiction over the road curb cuts.

Alderman Parrish suggested that the Port Washington Road consultant review this section to determine if there is anything that can be done. It was suggested that a "No U-Turn" sign be placed in the medium there. Asst. Dir. Zader confirmed staff will request this signage from the county.

The applicant, Mark Sidel from Pinnacle Engineering, stated that a traffic study was done in 2018/2019 and submitted to the county for review for a much higher use project. This was approved from the county at that time with no additional changes required.

The applicant asked about the front façade building materials of the entrance area. Asst. Dir. Zader stated he recommended that the entire façade by brick instead of siding as it is a focal point and entrance to the building. The Commission architect Choren stated that he feels that the siding is attractive, and brick is not necessary.

The business owner stated that this is a national franchise that provides a unique day care focused on sports and activities. He explained that there is a turnaround for dropping off the children under the covered overhang and the traffic flows only in one direction. The staff train the parents about the correct way to utilize the to drop off lane.

Asst. Dir. Zader stated that staff are only recommending of the requested one sign waiver request, which is to the height of the main sign as it might be blocked by the façade. Staff does not support the request for a larger sign as there is no hardship with the visibility of the sign and staff does not support the 2nd sign on the front of the overhang as it is deemed superfluous.

The narrative submitted states that the facilities could be used by the community, and he stated that a CUG for the outside recreational facilities would be needed if anyone other than the daycare staff and students utilized these facilities. There is some minor landscaping and lighting that needs to be addressed.

There was discussion about the noise from the outside activities, the hours of operation and the impact to surrounding neighbors. There was discussion about the signage and the requested larger sign and lettering.

Action
Commissioner Schaefer made a motion to approve the conditional use grant based on the conditions in the staff report with the request for staff to contact the county to request a "No U-Turn" sign and to allow the front façade as proposed by the applicant.
Alderman Parrish seconded the motion.
A roll call was taken; vote passed (7-0)

RESULT:	**APPROVED WITH CONDITIONS [7 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Brian Parrish, Alternate Alderman
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

b) Dan Beyer for O' Driscoll Real Estate. The applicant is seeking building and site plan approval and conditional use grant approval to allow a 1,300 SF coffee shop with drive-through service and building and site plan approval to allow a single-story commercial development that includes the coffee shop, drive-through service and a 3,800 SF sit down restaurant for a total of 5,100 SF.

Action
Commissioner Urbani made a motion to open a public hearing.
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

Public Feedback

Sue Sowin - 14017 N. Port Washington Road - she asked about the well and septic tank and hopes there will not be any interference with her systems.

Action
Alderman Parrish made a motion to close the public hearing.
Commissioner Urbani seconded the motion.
A voice vote was taken; vote passed (7-0)

Director Tollefson stated that this is a request for a conditional use grant for a coffee shop. The UIao Creek neighborhood zoning allows for 2,000 sq. ft. or less and a drive-thru is allowed as long as it is part of a multi-tenant structure. A previous land division was done of the parent parcel and this portion is just over 3.5 acres. The proposal does meet all of the compatibility standards of the CUG and the additional requirements of the Ulao Creek neighborhood zoning. Staff recommends approval of the CUG.

She explained that all the technical standards of the zoning district are met regarding the building and site plan approval request. If Phase II is completely built out there would be a slight shortage of the required parking stalls. Staff believe it will be okay as shared parking is encouraged and will be addressed at that time. All the required open space requirements regarding interior site space and exterior for public use flow are met. The building design meets the Ulao Creek design guidebook requirements. She mentioned that the Ulao Creek Linear Park will be incorporated with this development. Staff recommends approval of the building and site plan.

Dir. Tollefson explained the overall concept and the connectivity and access of the linear park to the adjacent parcels. She confirmed that water and sewer service are private systems.

There was some discussion among the Commission regarding parking. The Commission provided feedback that they are supportive of the proposed development and of the Linear Park path.

Action
Commissioner Choren made a motion to approve the CUG and building and site plan subject to the conditions in the staff report.
Commissioner Hawley seconded the motion.
A roll call vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

3) Consent

a) Pointe Real Estate. The applicant is seeking development agreement approval to allow for Phase II, 83-lots of the Swan Ridge Farms subdivision for the lands immediately south of and west of 10129 N. Swan Road.

Jane Chevakco - 1129 N. Swan Road - supports this development and would like to know the timing of when the laterals need to be in place.

The applicant, Joe Bukovich, answered that the sewer should be usable by July.

Nancy Daum - 10102 N. Concord Drive - stated there is a lot of dirt moving around and there is currently a berm that has been created from the dirt, and she would like to know if that is temporary.

Staff confirmed that the dirt is temporary.

There was some discussion about the water main connection at this property and the surrounding area.

Action
Commissioner Schaefer made a motion to approve the item.
Commissioner Barnes seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

b) Mequon I LLC. The applicant is seeking development agreement and minor request for a fill permit approval for 30,000 C.Y. of construction fill to allow for 13 lots in Phase VIII of The Enclave of Mequon Preserve subdivision for the property located at 7901 W. Preserve Parkway.

Action
Commissioner Barnes made a motion to approve.
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Bruce Barnes, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

4) Regular Business

a) Soomnath Hospitality. The applicant is seeking minor request approval to allow for 385 feet of fencing for the property located at 10240 N. Cedarburg Road (Sybaris).

Dir. Tollefson stated the proposal is to provide some fencing along the most western building which fronts Cedarburg Road. The applicant is attempting to direct traffic to the vehicular entrance. Security is located at that location as well. Due to the intent being guest safety and guest privacy, staff asked the police department to weigh in on the proposal. The PD agreed that this will assist with foot traffic to the main entrance, and it does not impede the ability of the police to access the site. She explained that in previous approvals for fencing in the front yards of commercial sites that the fence is ornamental in nature. Staff do not support the proposed 6 foot tall opaque fence. With the Police Department's support, staff recommends a fence not to exceed 4 ½ feet in height and that it be ornamental style with openings.

The applicant is agreeable to the style of fence but prefers a 6-foot fence.

Action

Commissioner Barnes made a motion to approve per conditions in the staff report.
Commissioner Choren seconded the motion.
A roll call vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Bruce Barnes, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

b) The Architects Partnership, Ltd. The applicant is seeking building and site plan approval to allow for a new 3,415 SF financial institution with a drive-through ATM lane for the property at 11001 N. Port Washington Road (Chase Bank).

Dir. Tollefson stated this is the former site of Ace Hardware and is just under one acre. Staff worked with the applicant to address all the non-compliant issues and the proposed building is in compliance with all the B-2 requirements. The red brick is in keeping with some of the neighboring buildings and aesthetic features. There are some minor recommendations for lighting and landscaping. Staff does recommend approval.

Assistant Engineer Cole McCraw stated they will be connected to public sewer and water. He explained that condition #9 in the staff report regarding access to the site has been an on-going discussion with the applicant. The street is encumbered with driveways in that area and staff recommend having only one access point onto Town Square Road, directly across from a driveway on the north side of the street. It is recommended that the existing access point on the east side of the site be eliminated as there is a concern about the traffic going in and out of Port Washington Road so close to the intersection.

The applicant stated that they agree that there should only be one full access point, but they are asking for an exit only point on the east side of the parcel. If they will only be allowed one access point, they are requesting that it be moved closer towards Port Washington Road. They would like some flexibility to work with staff regarding condition #9.

The Commission expressed concern about moving the access too close to Port Washington Road as there is a lot of traffic and traffic stacking occurs on Town Square Road.

Alderman Parrish stated he prefers some more architectural features to enhance the look of the proposed building. He would like to see more character, a peaked roof and a classier design and different building colors. Different examples of other Chase Bank branches were shown and preferences discussed.

Action
Commissioner Barnes made a motion to approve per the conditions in the staff report with a single access as far west from the intersection as possible.
Commissioner Hawley seconded the motion.
A roll call vote was taken; vote passed (4-3)(No: Strzelczyk, Parrish, Schaefer)

RESULT:	**APPROVED WITH CONDITIONS [4 TO 0]**
MOVER:	Bruce Barnes, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Barnes, Choren, Hawley, Urbani
ABSENT:	Stoker
DEEMED NO:	Strzelczyk, Parrish, Schaefer

c) Hahn Ace Hardware. The applicant is seeking building and site plan amendment approval to allow for a greenhouse and outside storage for the property located at 11300 N. Port Washington Road.

Asst. Dir. Zader stated this is for the permanent greenhouse facility at Ace Hardware. He showed the site plan with proposed islands that segregate the green house and renderings were shown. Staff recommends approval.

The applicant stated that the lighting in the green house will be less luminate that the lighting in the parking lot. There will be year-round usage.

There was some discussion about the lighting of the greenhouse.

Action

Commissioner Schaefer made a motion to approve with a recommendation that the applicant have a discussion with staff regarding the interior lighting of the greenhouse.
Commissioner Urbani seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED WITH CONDITIONS [7 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Nancy Urbani, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

d) Bauer Sign & Lighting for Mequon Marketplace Holdings, LLC. The applicant is seeking minor request approval to allow for a master sign plan for the property located at 11300 N. Port Washington Road. (Hahn Ace and Planet Fitness).

Asst. Dir. Zader stated this request is for a master sign plan. The request is for a wall sign for each of the tenants. The sign code only allows for 30-sq. ft. for each sign for a multi-tenant building. The proposed Hahn Ace sign is 47.5 sq. ft. Staff beleive that a little larger sign is justified at this location as the building is far from the road and the proposed sign fits with the large massing of the building and the gable. Staff recommend a sign for each tenant located on the gable up to 50 sq. ft., 2 signs on the gables along 1-43 per the sign code and a monument sign (there are currently no proposed renderings or location submitted yet). The design and brick columns shall match the other monument signs in that development. Staff recommend approval of the master sign plan.

Action

Commissioner Choren made a motion to approve.
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

e) Heimat Capital LLC for Mequon Town Center 1. The applicant is seeking building and site plan amendment approval to allow for 8 new residential units as previously approved in July 2022 for the property located at 11205-11315 N. Cedarburg Road and 5900-6048 W. Mequon Road.

Asst. Dir. Zader stated that the request is for the 2nd floor south building to convert from commercial use to 8 residential units. There was a traffic analysis done at the time of the original request. A condition was added that each of the 8 residential units have an assigned parking space inside the garage in the north building. Staff recommends approval.

The applicant stated that as part of their due diligence, they met with all of the commercial tenants and received feedback the parking issue has been addressed with the addition of the parking spaces in the civic campus, but the issue is not fully solved. The parking situation is on their radar and they will be watching and reviewing this issue.

It was discussed that the construction workers will be instructed to park in the civic campus parking lot and not in the MTC 1 parking lot.

Action
Commissioner Urbani made a motion to approve with the recommendation for staff to encourage construction workers to park in the civic campus.
Commissioner Barnes seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Nancy Urbani, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Strzelczyk, Parrish, Barnes, Choren, Hawley, Schaefer, Urbani
ABSENT:	Stoker

5) Announcements

The next meeting is Monday, December 2, 2024, at 6:00 p.m.

6) Adjourn

Action
Commissioner Schaefer made a motion to adjourn the meeting.
Commissioner Urbani seconded the motion.
A voice vote was taken; vote passed (7-0)

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Jac Zader