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Department of Community Development
Taped and Televised

**PLANNING COMMISSION
Regular Meeting
Monday, November 11, 2019
6:00 PM
Christine Nuernberg Hall**

Minutes

1) Call to Order, Roll Call

Present:

Chairman John Wirth
Alderman Robert Strzelczyk
Commissioner Rick Lemke
Commissioner Brian Parrish
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Commissioner John Stoker
Alternate James Baka
Alternate Stephanie Hawley
Alternate Greg Bach
Alternate Dan Gentges
Commissioner Martin Choren - **Absent**

Mayor Wirth called the meeting to order.

The Pledge of Allegiance was said in honor of Veteran's Day.

a) Minutes from October 7, 2019

Action

Ald. Strzelczyk made a motion to approve the October 7, 2019 minutes.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Strzelczyk, Alderman/Vice Chair
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

2) Public Hearing/Consent

- a) Concord Development Company. The applicant is seeking conditional use grant approval to allow for an indoor recreation and amusement facility (Little Sprouts Cafe) for the property located at 1406 W. Mequon Road.

Action

Commissioner Stoker made a motion to go into public hearing.
Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (8-0).

Action

Commissioner Becky Schaefer made a motion to close the public hearing.
Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (8-0).

Action

Commissioner Becky Schaefer made a motion to approve the consent item.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0).

RESULT:	APPROVED [8 TO 0]
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

3) Consent

- a) Lemke Seed Farms, Inc. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 10220 N. Granville Road.

Commissioner Lemke recused himself from the consent items.

Action

Commissioner Stoker made a motion to approve the consent items per staff recommendations.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0).

- b) Jennifer & Steven Wirth. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the properties located at 14150-14280 N. Granville Road.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Hawley, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren
RECUSED:	Lemke

4) Regular Business

- a) **RESOLUTION 3650** - A Resolution Adopting the 2019 City of Mequon Park and Open Space Plan.

City Forester, Mike Gies, stated that there was consensus that the last plan was too broad and there was no direction regarding funding as it pertains to the parks. The goal was to provide a more comprehensive plan that is easier to use going forward: projects to be done, funding sources to be used and established guidelines.

Action

Commissioner Becky Schaefer made a motion to recommend the resolution.

Ald. Strzelczyk seconded the motion.

A voice vote was taken; vote passed (8-0).

RESULT;	Approved {Unanimous}
MOVED BY:	Commissioner R. Schaefer
SECONDED BY:	Alderman Strzelczyk
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

- b) Allrite Home and Remodeling. The applicant is seeking building plan amendment approval to modify the exterior building material for the condominiums located at 1145-1154 Baldwin Court

Planner Vang stated that the request is for the north building of the Baldwin Court condominiums. The applicant is proposing to replace the wood siding with vinyl siding. Typically, this type of request is approved at staff level, but staff is recommending that a wood-based siding be used and the applicant requested that the Planning Commission weigh in on the decision regarding the siding materials.

The applicant, Jordan Miller with Allrite Remodeling, stated that he was hired to replace the siding and trim for the Baldwin Court condominiums. The material requested is an insulated

back vinyl because its appearance and cost are very similar to a wood-based product. Due to an older clientele the applicant also liked that the siding is mostly a maintenance-free product. He stated that the wood-based products require painting which the applicant would like to avoid. Mr. Miller stated that he has installed this product before, and he believes that it is a good product.

Feedback from the Commission was that vinyl siding should not be used.

Action

Commissioner Jim Schaefer made a motion to approve staff recommendation that the siding material be HardiePlank or wood-based plank.

Commissioner Becky Schaefer seconded the motion.

A roll call vote was taken; vote passed (8-0).

RESULT:	APPROVED [8 TO 0]
MOVER:	James Schaefer, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

- c) Concordia University. The applicant is seeking building and site plan amendment to allow for a dome over the football field at 12800 N. Lake Shore Drive.

Asst. Dir. Zader state that this item was in front of the Commission in September and the item was denied with a 4-4 vote. The applicant is proposing to modify the materials and is allowed to be back in front of the Commission. The color of the dome has been changed to blue and the dome will be opaque. As part of the application, site line study information has been submitted as there was discussion regarding the height of the trees at the September meeting. The applicant has flown a drone which shows the north property tree line to be approximately 71 feet in height. Additional renderings of what the dome would look like from various directions have been submitted and are included in the board packet. Staff recommends approval of the dome again; however, prefers the white colored dome over the blue.

Chuck Reymolds -13340 N. Northwood Lane - is opposed to the proposed dome due to increased traffic, noise and garbage around the campus. He believes the dome is massive and will be a beacon which will not blend into the character of the neighborhood. He feels that white is better than the proposed blue dome. He has questions regarding the noise levels, and he believes that it should be monitored and regulated.

Dan Bradley - 344 W. Bonniwell Road - is opposed to the dome as he stated at the September meeting and the reasons stated by Mr. Reynolds. He also agrees that white is preferable over the blue color and that opaque is also preferable.

The applicant was represented by Dr. Rob Barnhill; Director of Athletics at Concordia University, Dave Fenton with Horizon Building Systems and Cliff Mayer from Mayer Helminiak Architects.. Dr. Barnhill stated that the rationale for proposing the dome again is due to the large number of student athletes that do not have enough outdoor space to practice. This would allow

for all the outdoor teams to move outdoors to practice providing more space and availability for indoor sports teams and recreational sports to be held in the field house. He stated that they listened to the feedback from the Commission and have addressed the light trespass issue by taking out the skylight, the material will be opaque, and the site line study was conducted. He believes that Concordia is an asset to the community and strives to be a good neighborhood and hopes that the Commission will approve the requested dome.

When questioned, Mr. Fenton answered that the noise generated for the dome generators use variable frequency dry fans with a maximum of a 65-decibel level. He stated that most of the time the generators are running at 10-15%.

Asst. Dir. Zader answered a question from the Commission that an annual sound reading review can be conducted. This is also done annually for the PA system at the ballpark.

The Commission provided feedback that the site line study is critical in the decision-making process. They appreciate the need for the space for the student athletes. The white color and opaque material are preferred.

Action

Commissioner Stoker made a motion to approve per staff recommendations, the dome shall be white in color, shall be opaque material and spot noise checks shall be conducted.

Commissioner Lemke seconded the motion.

A roll call vote was taken; vote passed (6-2) (No votes: Jim Schaefer, Parrish).

RESULT:	APPROVED WITH CONDITIONS [6 TO 2]
MOVER:	John Stoker, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Lemke, R, Schaefer, Stoker
NAYS:	Parrish, J. Schaefer
ABSENT:	Choren

- d) Quality Auto Body. The applicant is seeking minor request approval to allow for a 6-foot high fence to be installed on the property line for the property located at 11065 N. Cedarburg Road.

Asst. Dir. Zader stated that the applicant was in front of the Commission in April of 2019 for a remodeling effort by Quality Auto Body. There was no discussion at the time for installing a fence as there was a vegetation line around the perimeter at that time. The applicant is seeking approval for a 6-foot high fence around the rear of the property. Due to the Town Center zoning this request requires Planning Commission approval. Asst. Dir. Zader showed a rendering of the site and explained the staff recommendation to require the 10-foot setback for the fence; or to be placed a few feet off the property line to provide space for some landscaping. At the side of the building, the asphalt is right at the property line and staff recommends the fence be tapered down in that area to 4-feet in height. This is the side of the building being remodeled and staff believes there is no reason to provide screening. In summary, staff supports the fencing request but

prefers that it is moved in from the property line to add some landscaping to soften the look to the neighboring properties.

The applicant, Steve Stys; owner of Quality Auto Body, stated that he is requesting the fence to provide screening from the neighboring properties. He has the support of the neighbor to place the fence on the property line and he has an agreement with the neighbors to provide landscaping even if it is located on their property. He explained that the lot line is so small and so close to the building that if he places a fence 10-feet off the property line he will not have space to park cars. He stated that he cannot afford to losing any parking stalls as he is already at capacity. He stated that aesthetically and for security purposes he would like a 6-foot fence for the entire property as proposed.

Asst. Dir. Zader answered the Commission that documentation from the neighbor is required and a landscaping plan is required.

The Commission prefers the 10-foot setback be imposed where applicable but acknowledge that this is a unique property in that it is very small and oddly shaped. The Commission appreciates the applicant making improvements to this site.

Action

Ald. Strzelczyk made a motion to approve a 6-foot fence for the entire property within a 5-foot setback from the property line and the landscaping plan shall be approved by staff.

Commissioner Parrish seconded the motion.

A voice vote was taken; vote passed (8-0).

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	Robert Strzelczyk, Alderman/Vice Chair
SECONDER:	Brian Parrish, Commissioner
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

- e) Mequon 1, LLC/VH Mequon II, LLC. The applicant is seeking rezoning recommendation approval to allow for an 82-lot single-family subdivision for the property located at 10565 N. Wauwatosa Road and lands to the west.

Asst. Dir. Zader stated that this has been in front of the Commission several times over the years and has changed depending on the applicant. He showed a few maps to demonstrate where the proposal is today. Veridian Homes now has ownership of all three parcels and the PUD will only include the three parcels and will remove the 12 acres to the south. The overall number of units for the project has dropped to 82. 68 of such lots are based on the 1-acre yield and as part of the purchase from North Shore Bank, the applicant has also purchased TDR credits. The applicant is using 14 of the 16 TDR credits on this site. There will be connections to Tree Sparrow Court on the north, a connection across from Hidden Creek on Wauwatosa Road as well as a future connection to the south and to the west for a future development.

Asst. Dir. Zader stated the yield plan is similar to what has been previously approved. The

biggest change is the modification to the road which turns slightly to the north due to the preservation of a specimen tree. A few trail connections have been added per staff request. There is an issue regarding the mailboxes and whether they can be broken up into a few areas instead of one clustered mail location. Engineering would like some traffic calming features to be added. Overall staff is supportive of the plans and recommends approval.

The applicant, Matt Cudney from Veridian Homes, stated that he agrees with most of the staff report conditions except for items #10 and #13. The applicant is requesting a 10-foot minimum width for the outlot for the paths and they will provide maintenance easements on the individual lots. To be consistent with the existing Enclave neighborhood the applicant is requesting the minimum dwelling sizes on a ranch home be 1900 square feet and 2100 square feet for a multi-story home.

Staff supports the changes requested by the applicant.

The Mayor stated that he is pleased that the applicant is using the TDR credits and would like them to be used more extensively. He believes it permanently preserves land that would not be otherwise preserved without charging taxpayers for it. It allows for the rural character of these areas in the city to be maintained while adding new residential development.

Action

Commissioner Stoker made a motion to approve per staff recommendations with the change to item #10 to allow for a 10-foot wide easement and a change to #13 to allow for 1900 sq. ft. for a ranch homes and 2100 sq. ft. for multi-story homes.

Ald. Strzelczyk seconded the motion.

A voice vote was taken; vote passed (8-0).

RESULT:	APPROVED WITH CONDITIONS [8 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Robert Strzelczyk, Alderman/Vice Chair
AYES:	Wirth, Strzelczyk, Baka, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

5) Policy

a) Text Amendment to Chapter 58 of the Municipal Code as it resale shops.

Asst. Dir. Zader stated that a 3-prong approach was taken regarding the resale shops text amendment: additions to the definitions, conditional uses added, and licensing requirements added. He talked through some of the details of these changes (which are included in the board packet staff report).

He stated that the text amendment will allow E-Collectique to seek a conditional use in the B-2 district, but Ivana's Trunk will not be able to seek a conditional use in the B-4 district and will need to relocate elsewhere in the city.

The Commission asked questions regarding the proposed changes and provided feedback on the changes. Overall, they are pleased with the proposed text amendment and commend staff for the proposed changes. There was discussion regarding window front displays and what should be allowed.

Action

Commissioner Becky Schaefer made a motion to approve per staff recommendations and to work on the language regarding the window displays.

Ald. Strzelczyk seconded the motion.

A voice vote was taken; vote passed (8-0).

RESULT:	APPROVED WITH CONDITIONS [9 TO 0]
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Robert Strzelczyk, Alderman
AYES:	Wirth, Strzelczyk, Baka, Hawley, Lemke, Parrish, R. Schaefer, J. Schaefer, Stoker
ABSENT:	Choren

6) Announcements

The next meeting is Monday, December 2, 2019 at 6:00 pm.

The Mayor reminded the Commission that the Land Use Open House is Thursday, November 21, 2019 at 6:00 p.m. at City Hall.

7) Adjourn

Action

Commissioner Stoker made a motion to adjourn.

Commissioner Parrish seconded the motion.

A voice vote was taken; vote passed (8-0).

Respectfully Submitted,

Jac Zader