City of Mequon

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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, November 12, 2018
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Alderman Robert Strzelczyk
Commissioner Martin Choren
Commissioner Rick Lemke
Commissioner Brian Parrish
Commissioner Rebecca Schaefer
Commissioner John Stoker
Alternate Stephanie Hawley
Alternate James Baka

a) Approval of Minutes

Action
Commissioner Parrish made a motion to approve the October 8, 2018 minutes.
Commissioner Choren seconded the motion
A voice vote was taken; vote passed (8-0)

b) Planning Commissions Minutes from October 8, 2018

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Brian Parrish, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, R. Schaefer, Stoker, Strzelczyk
ABSENT:	Abendroth, J. Schaefer
EXCUSED:	Wirth

2) Public Hearing / Consent

a) Josh Minkin for Orangetheory Fitness. The applicant is seeking conditional use grant approval for a 3,456 sq. ft. fitness center to be located at 1400-1402 W. Mequon Road.

Action
Commissioner Stoker made a motion to open a public hearing.
Commissioner R. Schaefer seconded the motion
A voice vote was taken; vote passed (8-0)

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

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, R. Schaefer, Stoker, Strzelczyk
ABSENT:	Abendroth , J. Schaefer

3) Consent

a) Mequon Nature Preserve. The applicant is seeking rezoning recommendation and land use plan amendment approval from R-1/OA to P-1/OA for the property located at 8200 W. County Line Road.

Action
Commissioner Stoker made a motion to approve the three consent agenda items.
Commissioner Choren seconded the motion
A roll call vote was taken; vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, R Schaefer, Stoker, Strzelczyk
ABSENT:	Schaefer

b) Gries Architectural Group, Inc. for Hold Holdings, LLC. The applicant is seeking building and site plan amendment approval to allow for an addition for an elevator for the adjoining buildings located at 10500 & 10520 N. Port Washington Road.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, R. Schaefer, Stoker, Strzelczyk
ABSENT:	Schaefer

4) Public Hearing / Regular Business

a) Groth Design Group City of Mequon. The applicant is seeking building and site plan, sign waiver and conditional use grant approval to allow for setback waivers to allow for the construction of a new public facility for the property located at the northeast corner of Cedarburg and Mequon Roads.

Action
Commissioner Parrish made a motion to open a public hearing.
Commissioner Stoker seconded the motion
A voice vote was taken; vote passed (8-0)

Noelle Boettcher-11349 N. Parkview Drive – is concerned about an additional structure at that corner and the fact that it is such a busy intersection already. She stated that the future of that corner and Mequon Road is uncertain to possible changes.

Rachel Kruse – 11330 N. Parkview Drive – feels that this is already a congested area and that this will lower property values due to the change of the landscape by the river and is opposed to this project.

Connie Pukaite – 1230 Estates Drive – is one of the citizens working on the committee appointed by the Mayor over a year ago to help develop a design for the structure on the corner of Mequon and Cedarburg Roads. She stated this has been published in the local papers and the intent is to call attention to this new growth area and the project has been in the city plans since 2002.

Action
Commissioner Parrish made a motion to close the public hearing.
Commissioner Stoker seconded the motion
A voice vote was taken; vote passed (8-0)

A video of the proposed project was shown.

City Planner Vang reviewed the staff report and stated that Groth Design Group has been working with city staff and the Mequon-Thiensville Promenade committee and is proposing a 3,705 sq. ft. public facility that provides signage that announces the arrival to the Mequon-Thiensville community. The B-2 zoning allows community facilities as a conditional use. This property is nonconforming and the project is seeking a setback waiver. There are specimen trees that are proposed to be removed. All projects by the city are exempted from the ordinance as long as the Common Council deems the exemption is appropriate and that the project is for public good, health or welfare. Due to this, Planning Commission action is not required regarding the removal of the specimen trees. A goal of the project has always been to preserve as many of the trees as possible, however in order to save two of the largest 24-inch Black Walnut trees, three other specimen trees are proposed to be removed. The three 8-inch trees will be removed to accommodate the structure and they are being removed due to being in the path of the structure or because they would have their root system negatively impacted by the structure. The message board will remain on site but will be relocated and redesigned to match the materials of the new structure.

The structure materials were reviewed as well as the design of the structure. The structure is 17 feet tall at its highest point, which meets the height requirement in the B-2 zoning district. There are a few sign waivers being requested. The Planning Commission has the ability to grant waivers to the sign code. Staff does support the sign waivers. The lighting plan was submitted but a cut sheet will be required to ensure it meets the lighting code. Engineering review was not required as less than ½ acre of land will be disturbed. Staff does recommend approval of the building and site plan, conditional use grant and sign waivers according to the conditions in the staff report.

There was positive feedback from the Commission regarding the process and the commitment of the resident volunteers. The Commission asked a few questions but overall expressed their support of this project. This proposal will go before the Park Board and will become part of the parks as there will be ongoing maintenance operations that need to be addressed.

Ms. Boettcher expressed concern about the height and that there will be visibility into the homes and backyards along the river. She feels that this structure is too large and that it will be dangerous for young children climbing on it.

Ms. Kruse is concerned about the lighting from this structure being intrusive into the homes and yards along the river. She stated there will be costs to maintain this facility going forward.

Richard Kailing – 10545 N. Riverlake Drive- feels that there is already a parking problem in this area and that it is congested. He is opposed to this project.

Staff addressed the lighting concerns and stated that this should not be an issue for those homes. The Commission has the authority to recommend lighting conditions such as the time of day the lights are allowed to be on as well as the Park Board will be involved in the operations. This feature has been promised to the community and the local businesses and will be a special feature for the city. Staff explained that the ancillary work will enhance the safety and pedestrian experience at that intersection. It was stated that the parking study conducted showed that there is sufficient parking for that area. There is underutilization of the 40-50 stalls along Cedarburg Road. The city hall parking lot will be redeveloped to create connectivity between city hall and other sites in the Town Center to enhance the pedestrian experience as well as add an additional 42 stalls to the civic campus area. The facility is intended as a passive recreational experience as part of the river front area.

Action

Commissioner Stoker made a motion to approve this item subject to the conditions in the staff report.
Commissioner Lemke seconded the motion
A roll call vote was taken; vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John Stoker, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, Schaefer, Stoker, Strzelczyk
ABSENT:	Schaefer

5) Regular Business

a) 6100 County Line Holdings, LLC. The applicant is seeking rezoning recommendation approval from R-1, R-2B, PUD, FW to R-1,R-2B, FW and certified survey map approval to create 2 lots for the property located at 6108-6112 W. County Line Road.

Asst. Dir. Zader stated that this property was approved in 2015 for a similar project but the applicant never followed through on that approval. The applicant is seeking removal of the PUD and CSM for a 2- lot land division. Lot 1 will have the existing home on it and the out building and Lot 2 on the corner of Baehr and County Line Road will be vacant. The applicant is asking to keep the shed and make some repairs to it. This is supported by staff if the Commission agrees to it. Staff recommends approval in accordance to the conditions in the staff report.

The applicant asked for condition #3 to be changed to have the option to remove the barn instead of repairing it.

Staff supports this request as long as it is completely removed including the foundation.

Action
Commissioner Stoker made a motion to approve the item per all 6 conditions in the staff report with the change to condition #3 in the staff report.
Commissioner Choren seconded the motion.
A roll call vote was taken; vote passed (8-0)

RESULT:	**APPROVED WITH CONDITIONS [UNANIMOUS]**
MOVER:	John Stoker, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Baka, Choren, Hawley, Lemke, Parrish, R. Schaefer, Stoker, Strzelczyk
ABSENT:	Abendroth, J. Schaefer

6) Policy

a) Moratorium Study Area Update

Director Tollefson stated that she provided an update regarding the moratorium a few months ago and there has been a lot of progress since then. The intent is to come back to the Planning Commission in December for action formalizing the recommendations and then the Common Council will take action in January which will then end the moratorium. This meeting is intended for any feedback regarding the proposed recommendations. There are a few follow up items that will continue to take place over the next few months past the moratorium resolution but it will not hold up any permits for property owners.

Regarding public safety, the police department recommends a digital security system for this area. This would require external and internal digital security systems for commercial properties that are a certain size or that operate in the evening or operate 24-hours. The business owners will be required to work with the police department to come up with the system that will work for their site. It helps deter outcomes as well as solve crime issues.

Staff has met with all but 4 of the property owners in the moratorium area. The property owners have consensus with the plan staff is recommending. A few properties are still trying to problem solve complying with their type of use and a few sites may result with non-conforming uses that need to be resolved. Overall the property owners are appreciative that staff is looking at this area and appreciate the open communication. They agree with the approach and downscaling the commercial use there and mostly agree with the proposed changes and the range of the uses.

Objectives:

- Fixing as many of the non-conforming issues as possible
- Shrinking the area or land in the intersection of commercial zoning
- New zoning for remaining commercial zoned properties to Neighborhood Commercial; this will reduce the level of commercial intensity in the district

Ms. Tollefson thinks that a market analysis would be a helpful tool to look at other commercial uses in the market place that may be an opportunity for this area and to test a few of the long-range uses suggested in the staff report (senior housing and indoor/outdoor recreation uses). This will bring revitalization to the commercial uses in addition to an increased customer base.

The results of the market analysis may provide new uses that may be considered to be added to the Neighborhood Commercial zoning district as well as it will be a tool for developers that may come forward.

It was discussed and strongly recommended that staff make every effort to reach the four outstanding property owners. It was stated that open communication and transparency are very important in this endeavor. The Commission supports the approach and the suggested changes and conditions. The Commission is supportive of the market analysis. It was suggested that the Economic Development Board be presented with the market analysis for feedback once it is completed.

7) Announcements

Planning Commission 2019 Meeting Schedule

8) Adjourn

Action
Commissioner R. Schaefer made a motion to adjourn.
Commissioner Stoker seconded the motion
A voice vote was taken; vote passed (8-0)

Respectfully Submitted,

Jac Zader